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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

FEDERICO CERETTI, CARLO GROSSO, KINGATE GLOBAL FUND, LTD., KINGATE EURO FUND, LTD., KINGATE MANAGEMENT No. 08-01789 (BRL)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 09-1161 (BRL)

THIRD AMENDED COMPLAINT

LIMITED, FIM ADVISERS LLP, FIM LIMITED, CITI HEDGE FUND SERVICES LIMITED, FIRST PENINSULA INDIVIDUALLY AND AS TRUSTEES OF THE ASHBY TRUST, THE ASHBY TRUST, ASHBY INVESTMENT SERVICES LIMITED INDIVIDUALLY AND AS TRUSTEES OF THE ASHBY TRUST, ALPINE TRUSTEES LIMITED INDIVIDUALLY AND AS TRUSTEES OF THE EL PRELA TRUST, PORT OF HERCULES LTD. INDIVIDUALLY AND AS TRUSTEE OF THE EL PRELA TRUST, EL PRELA TRUST, EL PRELA GROUP HOLDING SERVICES, ASHBY HOLDING SERVICES LIMITED, AND EL PRELA TRADING INVESTMENTS LIMITED AND HSBC BANK BERMUDA LIMITED,

Defendants.

Plaintiff Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC ("BLMIS") and the substantively consolidated estate of Bernard L. Madoff ("Madoff"), under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.* ("SIPA"), by his undersigned counsel, under Rule 15 of the Federal Rules of Civil Procedure for his Third Amended Complaint, states as follows:

I. FEDERICO CERETTI AND CARLO GROSSO FEED BLMIS THROUGH KINGATE

Madoff's Ponzi Scheme

- 1. As is now well-known, Madoff masterminded a Ponzi scheme of breathtaking scale, scope, and duration. For at least two decades before he confessed on December 11, 2008 (the "Filing Date"), Madoff stole approximately \$20 billion from the customers of his fraudulent brokerage BLMIS.
- 2. Madoff did not invest any of the \$20 billion that he stole. Rather, he gave old "investors" some of the money that new "investors" injected into his Ponzi scheme.
 - 3. By the Filing Date, BLMIS fabricated account statements for its nearly 4,900

customer accounts that purported to show approximately \$65 billion invested with BLMIS.

These customer accounts, however, had not accrued any real profits because no investments had ever been made.

- 4. All Ponzi schemes must collapse eventually. The world's supply of money is finite. Madoff, however, sustained his Ponzi scheme for so long with capital from around the globe. Madoff could not and did not accomplish this alone.
- 5. The Trustee has identified a complex web of interconnected people and financial institutions that solicited billions of dollars for BLMIS in Europe, Russia, the Middle East, and elsewhere. Defendants Federico Ceretti ("Ceretti") and Carlo Grosso ("Grosso"), Italian nationals operating from England and reaching into continental Europe, were an important part of Madoff's de facto global sales force.
- 6. Both Ceretti and Grosso had close and long-lasting business and personal relationships with Madoff. Both regularly met with Madoff in New York and elsewhere for over a decade. Moreover, Ceretti and Grosso worked together with the principals of certain other BLMIS "feeder funds" that also fed hundreds of millions into BLMIS.
- 7. Like any sales force that sells only one product, Ceretti and Grosso fought with these other feeder funds over territory and over what they earned off of Madoff's victims.

Ceretti and Grosso

- 8. Ceretti and Grosso established and operated two large feeder funds that together fed approximately \$1.7 billion of other people's money into BLMIS: Defendants Kingate Global Fund, Ltd. ("Kingate Global") beginning in 1994, and its offshoot Kingate Euro Fund, Ltd. ("Kingate Euro") beginning in 2000 (together, the "Kingate Funds"). The Kingate Funds were both 100 percent invested in BLMIS.
 - 9. As alleged fully herein, Ceretti and Grosso shielded the Kingate Funds from

outside scrutiny and, consistent with Madoff's pattern of secrecy, permitted no genuine due diligence.

10. Since their inception, the Kingate Funds redeemed nearly a billion dollars from BLMIS under circumstances that put Ceretti, Grosso, the Kingate Funds (and, as set forth fully herein, certain of the other Defendants) on notice of fraudulent activity at BLMIS. These avoidable transfers to the Kingate Funds are Customer Property that must be returned to the estate.¹

Ceretti and Grosso Work with Tremont to Exploit European Capital

- 11. In the early 1990s, Ceretti and Grosso were introduced to Madoff by Sandra Manzke ("Manzke"), a hedge fund manager then affiliated with Tremont (Bermuda) Limited ("Tremont") and a key player in feeding primarily U.S.-based capital into BLMIS.²
- 12. Ceretti and Grosso sought to establish a BLMIS feeder fund that targeted primarily European investors. With the assistance of Manzke and Tremont, Ceretti and Grosso formed Kingate Global in 1994.
- 13. Around the same time, Ceretti and Grosso created Kingate Management Limited ("Kingate Management") to act as "co-manager" of Kingate Global with Tremont. Manzke also acted as a vice-president of Kingate Global.
- 14. Kingate Management, in fact, had only three employees who, as alleged fully herein, were unclear about the scope of their duties.
 - 15. Neither Kingate Management nor Tremont "managed" anything about the

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¹ Under SIPA § 78*III*, "The term 'customer property' means cash and securities (except customer name securities delivered to the customer) at any time received, acquired, or held by or for the account from a debtor from or for the securities accounts of a customer, and the proceeds of any such property transferred by the debtor, including property unlawfully converted."

² The Trustee has filed a separate action in this Court against Manzke and Tremont in adversary proceeding No. 10-5310.

Kingate Funds.

- 16. Rather, Kingate Management and Tremont began taking fees for feeding hundreds of millions of dollars of other people's money into BLMIS through the Kingate Funds.
- 17. Initially, Ceretti and Grosso received a fee of 1 percent of the assets that they introduced to the Kingate Funds. Tremont would receive a 0.5 percent fee on these same assets. Reciprocally, if Tremont introduced the assets to the Kingate Funds, it would receive the 1 percent fee and Kingate Management would receive the 0.5 percent fee. This lucrative arrangement lasted in several configurations for over a decade until the day Madoff confessed, although Tremont's role diminished over time.

Ceretti and Grosso Contrive to Insulate BLMIS and the Kingate Funds from Scrutiny

- 18. Ceretti and Grosso enriched themselves on the back of the Kingate Funds' investors through Kingate Management and their other companies, Defendants FIM Limited and its affiliate FIM Advisers LLP ("FIM Advisers" and together "FIM").
- 19. Kingate Management and FIM (together, the "Management Defendants"), owned (directly or beneficially) and controlled by Ceretti and Grosso, purported to "advise," "consult," and "manage" the Kingate Funds and received millions of dollars in management and consulting fees simply for feeding money into BLMIS.
- 20. The Management Defendants further purported to conduct "due diligence" on the Kingate Funds, but no genuine due diligence took place. Moreover, Ceretti and Grosso took active measures to prevent any due diligence on BLMIS and the Kingate Funds. Ceretti and Grosso repeatedly and staunchly suppressed the concerns of investors (and even FIM employees) regarding the lack of transparency of the Kingate Funds and BLMIS. Ceretti and Grosso expressly directed that no such diligence be performed.
 - 21. The Management Defendants collected hundreds of millions of dollars in fees

from investors in the Kingate Funds who were, of course, 100 percent invested in BLMIS. Most of this money went to Ceretti and Grosso personally.

Citi Hedge Fails to Properly Examine BLMIS and the Kingate Funds

- 22. Citi Hedge Fund Services Limited ("Citi Hedge") acted as the administrator for the Kingate Funds. Despite its commitment to do so, Citi Hedge failed to independently verify the pricing information provided by Madoff. Rather, it relied solely on information provided by Madoff to calculate and disseminate the Kingate Funds' Net Asset Value ("NAV").
- 23. Ceretti and Grosso, the Management Defendants, and Citi Hedge did not perform any meaningful, substantive, or reasonable due diligence on the Kingate Funds or BLMIS's operations, its returns, or the basis for its consistency. As alleged fully herein, Ceretti, Grosso, and the Management Defendants knowingly and purposely ignored countless red flags of fraudulent activity at BLMIS.
- 24. Ceretti, Grosso, the Management Defendants, and Citi Hedge consistently disregarded the red flags raised by the BLMIS account statements, trade confirmations, market activity, and external and internal sources that indicated BLMIS's fraudulent activity. In fact, many of the account statements and trade confirmations reviewed by Ceretti, Grosso, the Management Defendants, and Citi Hedge reflected trades that were facially impossible.
- 25. Every dollar received by Ceretti, Grosso, the Management Defendants, and Citi Hedge is Customer Property and must be returned to the estate for equitable distribution.

Ceretti and Grosso's Shell Companies

26. Ceretti and Grosso also established and controlled a complex network of trusts and shell companies to ensure that Ceretti and Grosso were the ultimate beneficiaries of the monies collected by Kingate Management.

Ceretti's Shell Companies

- 27. Ceretti is the ultimate beneficiary of Defendant El Prela Trust ("El Prela Trust"). Ceretti set up and acted as principal for Defendant El Prela Trading Investments Limited, as Trustee of El Prela Trust ("El Prela Trading"), Defendant Port of Hercules Trustees Ltd., as Trustee of El Prela Trust ("Port of Hercules"), and Defendant Alpine Trustees Limited, as Trustee of El Prela Trust ("Alpine Trustees"). Ceretti also created Defendant El Prela Group Holding Services ("El Prela Group") as the holding company for these Ceretti entities.
- 28. At least \$87 million was transferred from Kingate Management into, and among, bank accounts belonging to these entities since at least 2001. These entities, on behalf of Ceretti and Grosso, also actively bought and sold securities, including self-dealing in shares of Kingate Global.

Grosso's Shell Companies

- 29. Grosso is the ultimate beneficiary of Defendant Ashby Trust ("Ashby Trust").

 Grosso set up and acted as principal for Defendant First Peninsula, as Trustee of the Ashby Trust ("First Peninsula") and Defendant Ashby Investments, as Trustee of the Ashby Trust ("Ashby Investments"). Grosso also created Defendant Ashby Holding Services Limited ("Ashby Holding") as the holding company for these Grosso entities.
- 30. At least \$87 million was transferred from Kingate Management into, and among, bank accounts belonging to these entities since at least 2001. These entities, on behalf of Ceretti and Grosso, also actively bought and sold securities.
- 31. Together, the Ashby Trust, First Peninsula, Ashby Investments, Alpine Trustees, Port of Hercules, El Prela Trading, El Prela Trust, El Prela Group, and Ashby Holding shall be referred to as the "Ceretti and Grosso Shell Company Defendants."
 - 32. An organizational chart depicting the network of entities and shell companies

Ceretti and Grosso used to funnel funds from BLMIS to themselves is attached hereto as Exhibit C.

II. NATURE OF PROCEEDING

- 33. BLMIS made avoidable and recoverable initial transfers to, or for the benefit of, the Kingate Funds in the amount of at least \$975,541,729. A number of defendants received subsequent transfers in the form of fees, which are recoverable subsequent transfers. This action is brought to recover these avoidable transfers so that this Customer Property can be equitably distributed by the Trustee in accordance with his statutory authority.
- 34. The Trustee brings this adversary proceeding under the statutory authority afforded to him by SIPA §§ 78fff(b), 78fff-1(a), and 78fff-2(c)(3), sections 105(a), 502(d), 510(c), 544, 547, 548(a), 550(a), and 551 of Title 11, United States Code (the "Bankruptcy Code"), the New York Fraudulent Conveyance Act (N.Y. Debt. & Cred. § 270, et seq. (McKinney 2001)) ("DCL"), NY C.P.L.R. § § 203(g) and 213(8), and other applicable law, for avoidance and recovery of preferential transfers and fraudulent transfers, recovery of subsequent transfers, disallowance of customer claims, equitable subordination, unjust enrichment, conversion, and money had and received.

III. JURISDICTION AND VENUE

35. This is an adversary proceeding commenced before the same Court before which the main underlying SIPA Proceeding, No. 08-01789 (BRL) (the "SIPA Proceeding"), is pending. The SIPA Proceeding was originally brought in the United States District Court for the Southern District of New York as Securities Exchange Commission v. Bernard L. Madoff Investment Securities LLC, et al., No. 08-CV-10791 (the "District Court Proceeding") and has been referred to this Court. This Court has jurisdiction over this adversary proceeding under 28 U.S.C. § 1334(b) and 15 U.S.C. § 78eee(b)(2)(A), (b)(4).

- 36. This is a core proceeding under 28 U.S.C. § 157(b)(2)(A), (F), (H) and (O).
- 37. Venue in this district is proper under 28 U.S.C. § 1409.

IV. BACKGROUND

- 38. On the Filing Date, Madoff was arrested by federal agents for violation of the criminal securities laws, including, <u>inter alia</u>, securities fraud, investment adviser fraud, and mail and wire fraud. Contemporaneously, the Securities and Exchange Commission ("SEC") commenced a District Court Proceeding against Madoff and BLMIS. The SEC complaint alleges that Madoff and BLMIS engaged in fraud through the investment adviser activities of BLMIS. The District Court Proceeding remains pending.
- 39. On December 12, 2008 The Honorable Louis L. Stanton of the District Court entered an order appointing Lee S. Richards, Esq. (the "Receiver") as receiver for the assets of BLMIS.
- 40. On December 15, 2008 under section 78eee(a)(4)(A), the SEC consented to a combination of its own action with an application of SIPC. Thereafter, under section 78eee(a)(4)(B) of SIPA, SIPC filed an application in the District Court alleging, inter alia, that BLMIS was not able to meet its obligations to securities customers as they came due and, accordingly, its customers needed the protections afforded by SIPA.
- 41. Also on December 15, 2008 Judge Stanton granted the SIPC application and entered an order under SIPA (known as the "Protective Decree"), which, in pertinent part:
 - a. appointed the Trustee for the liquidation of the business of BLMIS under SIPA section 78eee(b)(3);
 - b. appointed Baker & Hostetler LLP as counsel to the Trustee under SIPA section 78eee(b)(3); and
 - c. removed the case to this Bankruptcy Court under section 78eee(b)(4) of SIPA.

By this protective Decree, the Receiver was removed as Receiver for BLMIS.

- 42. By orders dated December 23, 2008 and February 4, 2009, respectively, the Bankruptcy Court approved the Trustee's bond and found the Trustee was a disinterested person. Accordingly, the Trustee is duly qualified to serve and act on behalf of the estate of BLMIS.
- 43. At a plea hearing (the "Plea Hearing") on March 12, 2009 in the case captioned United States v. Madoff, Case No. 09-CR-213 (DC) (S.D.N.Y. March 12, 2009) (Docket No. 50), Madoff pleaded guilty to an eleven-count criminal information filed against him by the United States Attorney's Office for the Southern District of New York. At the Plea Hearing, Madoff admitted that he "operated a Ponzi scheme through the investment advisery side of [BLMIS]." Id. at 23. Additionally, Madoff admitted "[a]s I engaged in my fraud, I knew what I was doing [was] wrong, indeed criminal." Id. On June 29, 2009 Madoff was sentenced to 150 years in prison.
- 44. On August 11, 2009 a former BLMIS employee, Frank DiPascali, pled guilty to participating in and conspiring to perpetuate the Ponzi scheme. At a plea hearing on August 11, 2009 in the case entitled <u>United States v. DiPascali</u>, Case No. 09-CR-764 (RJS) (S.D.N.Y. Aug. 11, 2009), DiPascali pleaded guilty to a ten-count criminal information. Among other things, DiPascali admitted that the Ponzi scheme had been ongoing at BLMIS since at least the 1980s. Id. at 46.

V. THE TRUSTEE'S POWER AND STANDING

45. As Trustee appointed under SIPA, the Trustee is charged with recovering and paying out Customer Property to BLMIS customers, assessing claims, and liquidating any other assets of BLMIS for the benefit of the estate and its creditors. The Trustee is in the process of marshalling BLMIS's assets, and this liquidation is well underway. However, the estate's present assets will not be sufficient to reimburse BLMIS customers for the billions of dollars they invested with BLMIS over the years. Consequently, the Trustee must use his broad

authority under SIPA and the Bankruptcy Code to pursue recovery from customers who received preferences and fraudulent transfers to the detriment of other defrauded customers whose money was consumed by the Ponzi scheme. Absent this and other recovery actions, the Trustee will be unable to satisfy the claims described in subparagraphs (A) through (D) of SIPA section 78fff-2(c)(1).

- 46. Under SIPA section 78fff-1(a), the Trustee has the general powers of a bankruptcy trustee in a case under the Bankruptcy Code, in addition to the powers granted by SIPA under section 78fff-1(b). Chapters 1, 3, 5 and subchapters I and II of chapter 7 of the Bankruptcy Code apply to this case to the extent consistent with SIPA.
- 47. Under SIPA sections 78fff(b) and 78lll(7)(B), the Filing Date is deemed to be the date of the filing of the petition within the meaning of section 548 of the Bankruptcy Code and the date of commencement of the case within the meaning of section 544 of the Bankruptcy Code.
- 48. The Trustee has standing to bring these claims under section 78fff-1(a) of SIPA and the Bankruptcy Code, including sections 323(b), 544 and 704(a)(1), because, among other reasons:
 - a. the Defendants received Customer Property;
 - b. BLMIS incurred losses as a result of the claims set forth herein;
 - c. BLMIS customers were injured as a result of the conduct detailed herein;
 - d. SIPC has not reimbursed, and statutorily cannot fully reimburse, all customers for their losses;
 - e. the Trustee will not be able to fully satisfy all claims;
 - f. the Trustee, as bailee of Customer Property, can sue on behalf of the customer-bailors;
 - g. the Trustee is the assignee of claims paid, and to be paid, to customers of

BLMIS who have filed claim in the liquidation proceeding (such claim-filing customers, collectively, "Accountholders"). As of this date, the Trustee has received multiple, express unconditional assignments of applicable Accountholders' causes of action, which actions could have been asserted against Defendants. As assignee, the Trustee stands in the shoes of persons who have suffered injury in fact and a distinct loss for which the Trustee is entitled to reimbursement in the form of monetary damages; the Trustee brings this action on behalf of, among others, those defrauded customers of BLMIS who invested more money in BLMIS than they withdrew;

- h. SIPC is the subrogee of claims paid, and to be paid, to customers of BLMIS who filed claims in the liquidation proceeding. SIPC has expressly conferred upon the Trustee enforcement of its rights of subrogation with respect to payments it has made and is making to customers of BLMIS from SIPC funds; and
- i. the Trustee has the power and authority to avoid and recover transfers under §§ 544, 547, 548, 550(a), and 551 of the Bankruptcy Code and SIPA §§ 78fff-1(a) and 78fff-2(c)(3).

VI. DEFENDANTS

- A. The Masterminds
- 49. **Federico Ceretti:** Ceretti is a resident of the United Kingdom and maintains an address at 37 Queens Gate Gardens, London, SW7 5RR, United Kingdom.
- 50. <u>Carlo Grosso:</u> Grosso is a resident of the United Kingdom and maintains an address at 22 Cathcart Road, London SW10 9NN, United Kingdom.
 - 51. Grosso founded FIM Limited in 1981 and remains its Executive Chairman.
- 52. Ceretti and Grosso established the Kingate Funds in 1994 and 2000 and created Kingate Management in 1994.
- 53. Ceretti and Grosso co-founded FIM Advisers in 2004. Grosso is acting Executive Chairman and Chief Investment Officer while Ceretti holds the position of Chief Executive Officer.
- 54. Ceretti and Grosso have operating authority over Kingate Management, and FIM's business operations, and had operating authority over the Kingate Funds, including the

Kingate Funds' investments with BLMIS in New York.

- 55. On information and belief, Ceretti and Grosso controlled and dominated all aspects of the Kingate Funds' business operations and Kingate Management and FIM, including the transfer of millions of dollars in fees collected by Kingate Management for "managing" the Kingate Funds to Ceretti and Grosso's Shell Company Defendants, ultimately for their own benefit.
- 56. Ceretti and Gross communicated regularly with persons in New York regarding BLMIS.
 - B. The BLMIS Feeder Funds
- 57. **Kingate Global:** Kingate Global is an international business company organized under the laws of the British Virgin Islands with a registered address at Bison Court, P.O. Box 3460, Road Town, Tortola, British Virgin Islands.
- 58. Ceretti and Grosso commenced Kingate Global operations in 1994 and shares in Kingate Global were first sold on March 1, 1995. Since its inception, all or substantially all of Kingate Global's assets were invested through BLMIS.
- 59. According to BLMIS's records, Kingate Global maintained an account with BLMIS designated 1FN061 (the "Kingate Global Account"). The Kingate Global Account was opened on or about March 2, 1994 when a Customer Agreement, an Option Agreement, and a Trading Authorization Limited to Purchases and Sales of Securities and Options (the "Kingate Global Account Opening Documents") were executed and delivered to BLMIS at its headquarters at 885 Third Avenue, New York, New York. This account was still open when Madoff was arrested on December 11, 2008.
- 60. Kingate Global used New York banks to transfer funds into BLMIS, transferring investor funds to, as well as receiving monies and receipts from, the BLMIS account at

JPMorgan Chase & Co., Account #xxxxxxxxxxx703 ("the 703 Account").

- 61. **Kingate Euro:** Defendant Kingate Euro is an international business company organized under the laws of the British Virgin Islands with a registered address at Bison Court, P.O. Box 3460, Road Town, Tortola, British Virgin Islands.
- 62. According to BLMIS's records, Kingate Euro maintained an account with BLMIS designated 1FN086 (the "Kingate Euro Account"). The account that came to be known as the Kingate Euro Account was opened originally on or about January 4, 1996 for a sub-fund of Kingate Global created to handle investments that were made in Deutsche Marks. In May 2000, that sub-fund became a separate legal entity, Kingate Euro, which handled investments denominated in Euros and assumed the rights to the old sub-fund's account at BLMIS. A Customer Agreement, an Option Agreement, and a Trading Authorization Limited to Purchases and Sales of Securities and Options (the "Kingate Euro Account Opening Documents") were executed and delivered on behalf of Kingate Euro to BLMIS at its headquarters at 885 Third Avenue, New York, New York.
- 63. Kingate Euro used New York banks to transfer funds into BLMIS, transferring investor funds to, as well as receiving monies and receipts from, the 703 Account.
- 64. The Kingate Funds are currently in liquidation. On June 4, 2009 the Eastern Caribbean Supreme Court in the High Court of Justice of the Virgin Islands appointed Joint Liquidators of the Kingate Funds. On October 5, 2009 the Supreme Court of Bermuda appointed the same Joint Liquidators. The Joint Liquidators have filed several actions in Bermuda, including an action against HSBC Bank Bermuda Limited f/k/a Bank Bermuda Limited ("Bank Bermuda") seeking the release of the proceeds of the transfers at issue in this action which are held in the Kingate Funds' accounts.

- C. The Management Defendants
- 65. **Kingate Management**: Defendant Kingate Management is a corporation organized, controlled, and beneficially owned by Ceretti and Grosso under the laws of Bermuda on February 24, 1994 with a registered address at 2 Reid Street, Hamilton HM11, Bermuda.
- 66. Kingate Management's purported purpose was to manage the Kingate Funds. Its duties included selecting the Kingate Funds' sole investment adviser (BLMIS) and arranging accounting and administrative services for the Kingate Funds.
- 67. As manager of the Kingate Funds, Kingate Management directed that the Kingate Funds transact and conduct business in New York, by inter alia, investing all of the assets of the Kingate Funds through BLMIS in New York.
- 68. **FIM Limited**: FIM Limited is an asset management company incorporated by Grosso under the laws of the United Kingdom with a registered address at Buchanan House, 1st Floor, 3 St. James's Square, London, SW1Y4JU, United Kingdom. Ceretti and Grosso control and beneficially own FIM Limited.
- 69. FIM Limited provided consultancy services to Kingate Management from 1995 until 2005, when Ceretti and Grosso created FIM Advisers, an affiliate which assumed the contract for consultancy services for Kingate Management. Kingate Management paid fees to FIM Limited at its account with Brown Brothers Harriman & Co. in New York, New York.
- 70. **FIM Advisers**: FIM Advisers is a limited liability partnership formed, controlled, and beneficially owned by Ceretti and Grosso under the laws of the United Kingdom with a registered address at 20 St. James Square, London, SW1A 1ES, United Kingdom.
- 71. FIM Advisers entered into a contract with Kingate Management on August 1, 2005 whereby FIM Advisers would render consulting advice and services for the Kingate Funds.
 - 72. FIM Advisers and its New York affiliate, FIM (USA), Inc. ("FIM (USA)"),

actively marketed FIM Advisers' services in the United States. FIM (USA) also performed research functions in New York on behalf and under the direction of FIM Advisers, FIM Limited, Kingate Management, and Ceretti and Grosso.

D. The Administrator

- 73. <u>Citi Hedge</u>: Citi Hedge, formerly known as BISYS Hedge Fund Services

 Limited and previously known as Hemisphere Management Limited ("Hemisphere"), is
 incorporated under the laws of Bermuda with a registered address at 9 Church Street, PO Box

 HM 951, Hamilton HM11, Bermuda.
- 74. Citi Hedge is an affiliate of Citigroup, Inc. and Citi Hedge Fund Services, Inc., a Delaware corporation registered to do business in New York with a registered address at 3435 Stelzer Road, Columbus, OH 43219. The Kingate Funds paid Citi Hedge via accounts at J.P. Morgan Chase in New York.

E. The Ceretti and Grosso Shell Companies

- 75. Ceretti and Grosso moved hundreds of millions of dollars in fraudulent transfers from the Kingate Funds through Kingate Management to shell companies that they owned and controlled.
- 76. The Ceretti and Grosso Shell Company Defendants routinely received funds originating from New York and derived substantial revenue from the receipt of these funds.
- Ashby Holding: Ashby Holding is a limited liability company organized under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands and its registered agent is Moore Stephens International Services (BVI) Limited. It also has an administrative office located at c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000 Monaco. Ashby Holding received tens of millions of dollars in fraudulent transfers from Kingate

Management from April to December 2008. At all material times, Ashby Holding was the owner of 50 percent of the issued share capital in Kingate Management.

- 78. **First Peninsula**: First Peninsula is a limited liability company incorporated under the laws of Liberia with a registered address of 80 Broad Street, Monrovia, Liberia. First Peninsula received tens of millions of dollars in fraudulent transfers from Kingate Management from 2001 to 2008. First Peninsula was a registered holder of the issued share capital in Ashby Holding, which it held in trust for the beneficiaries of the Ashby Trust, including Grosso.
- 79. Ashby Investment: Ashby Investment is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands and its registered agent is Moore Stephens International Services (BVI) Limited. It also has an administrative office located at c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000 Monaco. Ashby Investment received millions of dollars in fraudulent transfers from Kingate Management in 2008. Ashby Investment was a registered holder of the issued share capital in Ashby Holding, which it held in trust for the beneficiaries of the Ashby Trust, including Grosso.
- 80. Ashby Trust: On information and belief, Ashby Trust is a trust company formed in either Tortola, British Virgin Islands or Monrovia, Liberia and hundreds of millions of dollars in fraudulent transfers were funneled from Kingate Management through certain of the Ceretti and Grosso Shell Company Defendants and into the Ashby Trust for its beneficiaries, including Grosso.
- 81. **El Prela Group**: El Prela Group is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands and its registered agent is Moore Stephens

International Services (BVI) Limited. It also has an administrative office located at c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000 Monaco. El Prela Group received millions of dollars in fraudulent transfers from Kingate Management from April to December 2008. At all material times, El Prela Group was the owner of 50 percent of the issued share capital in Kingate Management.

- 82. Alpine Trustees: Alpine Trustees is a limited liability company incorporated under the laws of Liberia with a registered address at 80 Broad Street, Monrovia, Liberia.

 Alpine Trustee received tens of millions of dollars in fraudulent transfers from Kingate

 Management from 2001 to 2008. At all material times, Alpine was a registered holder of the issued share capital in El Prela Group.
- 83. **Port of Hercules**: Port of Hercules is a limited liability company incorporated under the laws of the British Virgin Islands with a registered address at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands and its registered agent is Moore Stephens International Services (BVI) Limited. Port of Hercules received millions of dollars in fraudulent transfers from Kingate Management from 2001 to 2008. At all material times, Port of Hercules was a registered holder of the issued share capital in El Prela Group, which it held in trust for the beneficiaries of El Prela Trust, including Ceretti.
- 84. <u>El Prela Trading</u>: El Prela Trading is a limited liability company organized under the laws of the British Virgin Islands with a registered address located at Palm Grove House, P.O. Box 3186, Road Town, Tortola, British Virgin Islands and its registered agent is Moore Stephens International Services (BVI) Limited. It also has an administrative office located at c/o Moore Stephens Services SAM, L'Estoril, Bloc C, 31 Avenue Princess Grace, MC 38000 Monaco. El Prela Trading received tens of millions of dollars in fraudulent transfers from Kingate Management during 2008. At all material times, El Prela Trading was a registered

holder of the issued share capital in El Prela Group, which it held in trust for the beneficiaries of the El Prela Trust, including Ceretti.

- 85. **El Prela Trust:** On information and belief, El Prela Trust is a trust company formed in either Tortola, British Virgin Islands or Monrovia, Liberia and hundreds of millions of dollars in fraudulent transfers were funneled from Kingate Management through certain of the Ceretti and Grosso Shell Company Defendants and into the El Prela Trust for its beneficiaries, including Ceretti.
- 86. On information and belief, the Ceretti and Grosso Shell Company Defendants transferred funds to New York bank accounts at the request of and for the benefit of Ceretti and Grosso. For example, on or about March 31, 2008, Ashby Holding transferred \$5 million to a bank account in New York at the request of Grosso.

F. The Custodian

- 87. **Bank Bermuda:** Bank Bermuda is a banking institution with a registered address at 9 Bermudiana Road, Compass Point, 5th Floor, Pembroke, Bermuda.
- 88. On March 1, 1994 and May 1, 2000, Kingate Global and Kingate Euro, respectively, entered into Custodian Agreements with Bank Bermuda whereby Bank Bermuda would serve as custodian for the Kingate Funds as the repository for the assets of the Kingate Funds.
- 89. Bank Bermuda used New York banks to transfer funds into BLMIS, transferring investor funds into, and receiving monies and receipts from, the 703 Account.

G. This Court Has Personal Jurisdiction Over All Defendants

90. This Court has personal jurisdiction over all defendants named herein under New York Civil Practice Law Rule 302 and Bankruptcy Rule 7004 because each defendant has intentionally taken full advantage of the rights, benefits and privileges of conducting business

and/or transactions in the State of New York, purposely availed itself of the laws of the State of New York by undertaking significant commercial activities in New York, and by receiving Customer Property to its benefit, derived significant revenue from New York and maintained minimum contacts with New York in connection with the claims alleged herein. Additionally, the defendants have committed tortious acts both within and without New York, causing injury in New York and to customers and creditors of BLMIS, derived substantial revenue from direct or indirect investments with BLMIS and Madoff and expect or should reasonably expect that their conduct would have consequences in New York.

VII. THE PONZI SCHEME

- 91. BLMIS was founded by Madoff in 1959 and, for most of its existence, operated from its principal place of business at 885 Third Avenue, New York, New York. Madoff, as founder, chairman, chief executive officer, and sole owner, operated BLMIS together with several of his friends and family members. BLMIS was registered with the SEC as a securities broker-dealer under Section 15(b) of the Securities Exchange Act of 1934, 15 U.S.C. § 780(b). By virtue of that registration, BLMIS was a member of SIPC. BLMIS had three business units: market making, proprietary trading, and investment advisery (the "IA Business").
- 92. Outwardly, Madoff ascribed the consistent success of the IA Business to the so-called split-strike conversion strategy ("SSC Strategy"). Under that strategy, Madoff purported to invest BLMIS customers' funds in a basket of common stocks within the Standard & Poor's 100 Index ("S&P 100") a collection of the 100 largest publicly traded companies. Madoff claimed that his basket of stocks would mimic the movement of the S&P 100. He also asserted that he would carefully time purchases and sales to maximize value, and BLMIS customers' funds would, intermittently, be out of the equity markets.
 - 93. The second part of the SSC Strategy was the hedge of Madoff's stock purchases

with options contracts. Those option contracts acted as a "collar" to limit both the potential gains and losses on the basket of stocks. Madoff purported to use proceeds from the sale of S&P 100 call options to finance the cost of purchasing S&P 100 put options. Madoff told BLMIS customers that when he exited the market, he would close out all equity and option positions and invest all the resulting cash in United States Treasury bills or in mutual funds holding Treasury bills. Madoff also told customers, including Ceretti and Grosso and certain of the other Defendants named herein, that these "round-trips" into the market would occur between six and ten times each year.

- 94. BLMIS's IA Business customers received fabricated monthly or quarterly statements showing that securities were held in, or had been traded through, their accounts. The securities purchases and sales shown in the account statements never occurred, and the profits reported were entirely fictitious. At the Plea Hearing, Madoff admitted that he never made the investments he promised clients, who believed they were invested with him in the split strike conversion strategy. He further admitted that he never purchased any of the securities he claimed to have purchased for IA Business' customer accounts. In fact, there is no record of BLMIS having cleared a single purchase or sale of securities in connection with the SSC Strategy on any trading platform on which BLMIS reasonably could have traded securities. Instead, investors' funds were principally deposited into the 703 Account.
- 95. Prior to his arrest, Madoff assured clients and regulators that he purchased and sold the put and call options on the over-the-counter ("OTC") market after hours, rather than through any listed exchange. Based on the Trustee's investigation to date, there is no evidence that the IA Business ever entered into any OTC options trades on behalf of IA Business account holders.
 - 96. For all periods relevant hereto, the IA Business was operated as a Ponzi scheme.

The money received from investors was not invested in stocks and options, but rather used to pay withdrawals and to make other avoidable transfers. Madoff also used his customers' investments to enrich himself, his associates, and his family.

- 97. The falsified monthly account statements reported that the accounts of the IA Business customers had made substantial gains, but in reality, due to the siphoning and diversion of new investments to fulfill payment requests or withdrawals from other BLMIS Accountholders, BLMIS did not have the funds to pay investors for those new investments.

 BLMIS only survived as long as it did by using the stolen principal invested by customers to pay other customers. Almost ten percent of this stolen principal was fed into the Ponzi scheme by Ceretti and Grosso's Kingate Funds.
- 98. It was essential for BLMIS to honor requests for payments in accordance with the falsely inflated account statements, because failure to do so promptly could have resulted in demand, investigation, the filing of a claim, and disclosure of the fraud.
- 99. In an effort to hinder, delay or defraud authorities from detecting the fraud, BLMIS did not register as an investment adviser until August 2006. In or about January 2008, BLMIS filed with the SEC an amended Uniform Application for Investment Adviser Registration. The application represented, inter alia, that BLMIS had 23 customer accounts and assets under management of approximately \$17.1 billion. In fact, in January 2008, BLMIS had approximately 4,900 active client accounts with a purported value of approximately \$65 billion under management.
- 100. Madoff's scheme continued until December 2008 when the requests for withdrawals overwhelmed the flow of new investments and caused the inevitable collapse of the Ponzi scheme.
 - 101. Based upon the Trustee's ongoing investigation, there were more than 8,000

customer accounts at BLMIS over the life of the scheme. In early December 2008, BLMIS generated account statements for its approximately 4,900 open customer accounts. When added together, these statements purportedly showed that BLMIS customers had approximately \$65 billion invested through BLMIS. In reality, BLMIS had assets on hand worth only a fraction of that amount. Customer accounts had not accrued any real profits because virtually no investments were ever made. By the time the Ponzi scheme came to light on December 11, 2008, with Madoff's arrest, investors had already lost approximately \$20 billion in principal.

102. Thus, at all times relevant hereto, the liabilities of BLMIS were billions of dollars greater than its assets. BLMIS was insolvent in that: (i) its assets were worth less than the value of its liabilities; (ii) it could not meet its obligations as they came due; and (iii) at the time of the transfers, BLMIS was left with insufficient capital.

VIII. THE KINGATE FUNDS AND DEFENDANTS' ROLE IN PERPETUATING THE FRAUD

A. Ceretti and Grosso Create The Kingate Funds

- 103. With over 60 years of experience in the financial industry between them, Ceretti and Grosso used their expertise to induce investors to hand over millions of dollars to BLMIS through the Kingate Funds, all the while collecting staggering "fees" from management and consulting companies specifically instructed to turn a blind eye.
- 104. Ceretti and Grosso orchestrated a complex network of funds, fund managers, and shell companies to launder the money they siphoned from the Kingate Funds' investors.
- 105. Manzke, a U.S. hedge fund manager then affiliated with Tremont and a key player in funneling billions of dollars into the Ponzi scheme, personally introduced Grosso and Ceretti to Madoff in the early 1990s.
 - 106. Following a 1993 investigation of BLMIS by the SEC, Madoff informed fund

managers, including Manzke, that going forward BLMIS would only accept funds for its IA Business, rather than individual accounts. Manzke proceeded to form a domestic fund, the Tremont Broad Market Fund, and Ceretti and Grosso joined with Manzke to create Kingate Global as the foreign fund counterpart.

- 107. Ceretti and Grosso were the founders of Kingate Global and Manzke was a director of Kingate Global. Ceretti, Grosso, and Manzke used the Kingate Funds as vehicles to funnel investments directly and exclusively into BLMIS.
- 108. Around the same time, Ceretti and Grosso created Kingate Management, incorporated in Bermuda in 1994. Ceretti and Grosso formed Kingate Management to act as comanager of Kingate Global with Tremont. Kingate Management and Tremont executed a Co-Manager Agreement with Kingate Global on or about December 1, 1995.
- 109. Under these agreements, Kingate Management and Tremont were to evaluate and monitor the "Investment Adviser" (i.e., BLMIS) and to provide all necessary management services to the funds. Kingate Management and Tremont set up a fee structure whereby each comanager divided the fees earned and calculated based on the NAV of the Kingate Funds.
- 110. Thereafter, Kingate Management and Tremont began placing hundreds of millions, if not billions of dollars, with BLMIS through Kingate Global.
- 111. Unlike other BLMIS feeder funds, Kingate Global did not charge performance fees. This enticed even those already invested with BLMIS through other funds. In fact, Madoff himself instructed Manzke that Kingate Global could no longer accept investors already invested with the BLMIS feeder fund Fairfield Sentry.³ Fairfield Sentry was managed by Madoff's friend, Walter Noel, who was losing fees to Kingate Global.

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³ The Trustee has filed a separate action in this Court against Fairfield Sentry in adversary proceeding No. 09-1239.

- 112. Still, Ceretti and Grosso were not content to share the millions of dollars in fees coming in from the Kingate Funds. Ceretti and Grosso forced Manzke to resign as director of Kingate Global and terminated the co-manager relationship with Tremont. Tremont, however, continued to earn fees from Kingate Management pursuant to a 2006 consulting agreement.
- 113. In 2000, Ceretti and Grosso created as a separate entity the Euro-denominated Kingate Euro, which had previously been a sub-fund of Kingate Global. Ceretti and Grosso operated this fund identically to Kingate Global and Kingate Management executed a Manager Agreement with Kingate Euro on or about May 1, 2000.

B. Ceretti and Grosso Honor Madoff's Request for Secrecy

- also held face-to-face meetings with Madoff in New York and London about twice per year and spoke to him frequently by telephone. During these meetings and telephone conversations, Grosso spoke to Madoff about his SSC Strategy and the performance of BLMIS and the Kingate Funds. Ceretti and Grosso also frequently met with Madoff for dinners in London, accompanied by their wives. On information and belief, Ceretti and Grosso relied on Madoff for information concerning his performance on behalf of the Kingate Funds.
- 115. Madoff refused to be publicly associated with the Kingate Funds. Neither Kingate Global nor Kingate Euro identified BLMIS or Madoff by name in their Information Memoranda. Instead, they referred to BLMIS as a "New York based NASD registered brokerdealer." Ceretti and Grosso allowed Madoff to maintain his charade.
- 116. The Kingate Funds' Information Memoranda stated that they were "open-ended" investment companies that sought long-term capital growth by allocating their shares to a selected investment adviser (i.e., BLMIS) to execute the Kingate Funds' investment objectives. The Kingate Funds' investment objectives were to obtain capital appreciation through a non-

traditional stock/options trading strategy.

117. Ceretti and Grosso recruited investors for their scheme primarily from continental Europe with a particular concentration in Italy and Switzerland. Major financial institutions such as HSBC, Grupo BBVA, Banque Privee Edmond de Rothschild, and Anglo Irish Bank invested with BLMIS through the Kingate Funds.

C. FIM Managed the Kingate Funds While Kingate Management Collected the Bulk of the Fees

- 118. Kingate Management operated as an alter ego of Ceretti and Grosso. It was simply a shell company with only three employees, yet it collected hundreds of millions in fees from the Kingate Funds, its sole source of revenue.
- 119. Kingate Management's contracts with the Kingate Funds specified that it was to be paid 1.5 percent of the Kingate Funds' NAV annually. This fee was calculated and paid to Kingate Management on a monthly basis. The NAV was, of course, calculated based upon the false statements of the accounts prepared by BLMIS. For example, Kingate Global paid Kingate Management over \$38 million in 2007, and Kingate Euro paid Kingate Management over €9 million for the same year. These fees were based on an "asset value" that did not exist.
- 120. The Information Memoranda for both Kingate Funds stated that Kingate Management would make all decisions related to the general management of the Kingate Funds and would have complete authority and discretion in the management and control of the business of each fund. In fact, Kingate Management played a minimal role in managing the Kingate Funds.
- 121. Even though Kingate Management received the bulk of the fees from the Kingate Funds, Ceretti and Grosso enlisted FIM to perform the work of a typical fund manager.

 Critically, however, Ceretti and Grosso prevented FIM from undertaking genuine due diligence

on BLMIS or the Kingate Funds.

- 122. In place of such diligence, Ceretti and Grosso "vouched" for Madoff.
- 123. On December 1, 1995 Kingate Management signed a Consulting Services

 Agreement with FIM Limited. FIM Limited was retained to provide consulting advice with respect to Kingate Management's financial and operational decisions related to the Kingate Funds. Under the Consulting Services Agreements, FIM Limited's fees were paid by Kingate Management out of the fees Kingate Management received from the Kingate Funds.
- 124. On August 1, 2005 FIM Limited was replaced as the consultant for Kingate Management by FIM Advisers under two Consulting Services Agreements between FIM Advisers, Kingate Management, and the Kingate Funds. It has been recently reported that Ceretti and Grosso intend to close FIM Advisers and FIM Limited.
- 125. Among other things, FIM Limited identified and solicited investors for the Kingate Funds, prepared marketing materials, and reviewed the funds' structure and operating procedures.
- 126. According to the Kingate Global Information Memorandum, FIM Advisers "renders consulting advice to [Kingate Management] with respect to certain aspects of the Fund's operational, administrative, marketing, accounting and legal matters." FIM Advisers' website, before it was taken down within the past year, stated that FIM Advisers is:

a leading alternative investment company specializing in the creation and management of portfolios of hedge funds for institutional and private clients. The company has more than twenty five years of experience in asset management, with almost fifteen years of advising and managing portfolios of hedge funds. Today, FIM has 30 employees based in London and Bermuda.

The website further stated that:

FIM's investment model is based upon a disciplined and structured approach to research, portfolio management, and risk management. The model gives FIM a clear edge in the sourcing of new managers, in conducting in-depth due-diligence,

and in structuring portfolios. At the foundation of the company's approach to investment is a highly experienced team of investment professionals, who have operated in a variety of market cycles and environments.

- 127. Despite these statements about expertise, disciplined and structured research, and clear fund management duties made by Kingate Management and FIM, neither company actually performed any meaningful research or due diligence on the Kingate Funds or BLMIS.
- 128. In fact, an email exchange between two FIM employees shows how even FIM employees were unclear about the structure of FIM and Kingate Management and the role they played vis-à-vis the Kingate Funds.
- 129. In November 2008, Eric Lazear ("Lazear"), FIM's Head of Operational Due Diligence, instructs FIM employee, Jose Verde, to contact Shazieh Salahuddin, Director of Kingate Management, for issues regarding the Kingate Funds. Verde responds, "But isn't she working for FIM in the Bermuda office? I am a bit Confused." Lazear responds, "Yes, but she handles all kingate [sic] questions."

D. Ceretti and Grosso Conceal Their Profits

- 130. Ceretti and Grosso set up an intricate network of shell companies to conceal that they personally received the fees collected on the Kingate Funds' investments with BLMIS.

 Various bank accounts were set up in each of the Ceretti and Grosso Shell Company Defendants' names to facilitate these transfers.
- 131. El Prela Group, whose beneficial owner is Ceretti, received millions of dollars in transfers from the Kingate Funds during 2008. El Prela Group received approximately \$18 million in transfers from Kingate Management from April through December 2008. Using those funds, El Prela Group transferred out at least \$18 million to Port of Hercules.
- 132. Port of Hercules, whose beneficial owner is Ceretti, received millions of dollars in transfers from the Kingate Funds since 2001. For example, from 2006 through 2008, Port of

Hercules' HSBC account received approximately \$60 million in transfers from Kingate Management, El Prela Group, and El Prela Trading. Using some of those funds, Port of Hercules transferred out at least \$50 million to Ceretti's personal bank account, El Prela Trading, and other accounts held by Port of Hercules at Fortis Bank.

- 133. Alpine Investments, whose beneficial owner is Ceretti, received millions of dollars in transfers from the Kingate Funds since 2001. For example, from 2006 through 2008, Alpine Investments received approximately \$16 million in transfers from Kingate Management. Using those funds, El Prela transferred out at least \$7 million to Ceretti's personal bank account.
- 134. El Prela Trading, whose beneficial owner is Ceretti, received millions of dollars in transfers from Port of Hercules during 2008. El Prela Trading received approximately \$3 million in transfers from Port of Hercules. Using those funds, El Prela Trading transferred out at least \$3 million back to Port of Hercules.
- 135. Upon information and belief, El Prela Trust, whose beneficial owner is Ceretti, received millions of dollars in transfers ultimately originating from Kingate Management.
- 136. Ashby Holding, whose beneficial owner is Grosso, received millions of dollars in transfers from the Kingate Funds during 2008. Ashby Holding received approximately \$18 million in transfers from Kingate Management from April through December 2008. Using those funds, Ashby Holding transferred out at least \$18 million to First Peninsula.
- 137. First Peninsula, whose beneficial owner is Grosso, received millions of dollars in transfers from the Kingate Funds since 2001. For example, from 2006 through 2008, First Peninsula's HSBC account received approximately \$61 million in transfers from Kingate Management, Ashby Investment, and Ashby Holding. Using some of those funds, First Peninsula transferred out at least \$23 million to other accounts held by First Peninsula at Fortis Bank.

- 138. Ashby Investment, whose beneficial owner is Grosso, received millions of dollars in transfers from the Kingate Funds during 2008. Ashby Investment transferred approximately \$7 million between its own bank accounts in October 2008. Using those funds, Ashby Investments transferred out at least \$7 million to First Peninsula.
- 139. Upon information and belief, Ashby Trust, whose beneficial owner is Grosso, received millions of dollars in transfers ultimately originating from Kingate Management.

E. Citi Hedge Failed to Perform Its Duties as an Administrator

- 140. Citi Hedge and its predecessors served as the purported administrator of the Kingate Funds at all relevant times. Specifically, from the inception of the Kingate Funds through 2002, the administrator was Bermuda-based Hemisphere. In 2003, BISYS Group, Inc. (BISYS's parent) acquired Hemisphere and renamed it BISYS Hedge Fund Services Ltd. (Bermuda). In 2007, Citigroup acquired BISYS Group, Inc. and gave the administrator its present name, Citi Hedge.
- 141. Citi Hedge was purportedly responsible for performing day-to-day administrative services for the Kingate Funds, including preparing and distributing monthly reports to the investors setting forth their NAV, the amounts of any distributions from the funds, accounting and legal fees, and all other fees and expenses of the Kingate Funds.
- 142. Citi Hedge, however, failed to: (i) take reasonable, industry-standard steps to calculate the Kingate Funds' NAV; (ii) independently confirm and verify the pricing information provided by Madoff; (iii) reconcile information provided by Madoff as the Kingate Funds' prime broker with information provided by the Kingate Funds' managers; (iv) prepare the monthly financial statements in accordance with generally accepted accounting principles; or (v) relay accurate information to investors.
 - 143. As administrator, Citi Hedge was subject to the Administration Agreement, as

amended and restated effective June 1, 2007 (the "Administration Agreement"), and the Registrar Agreement, as amended and restated effective January 1, 2002.

144. Under these agreements, one of Citi Hedge's critical responsibilities included the calculation of the Kingate Funds' NAV:

The Administrator will determine the net asset value of the Fund's portfolio assets attributable to the USD shares of the close of business on the last Business Day of each calendar month. The Administrator verifies the prices attributed to the securities held by the USD shares of the Fund by reference to pricing sources independent of the Investment Adviser whenever reasonably possible.

- 145. The information Memoranda further explained that the NAV "is the market value of the Fund[s'] total assets, calculated as described below, less all accrued debts and liabilities . . . The Fund[s'] total assets include: (i) all cash and cash equivalent, including bank deposits and interest bearing obligations; (ii) all securities positions; and (iii) all options positions."
- 146. Although the securities and options positions were reported and purportedly custodied by Madoff, Citi Hedge failed to independently verify the pricing information provided by Madoff. Rather, Citi Hedge relied solely on information provided by Madoff to calculate and disseminate the Kingate Funds' NAV.
- 147. Citi Hedge failed to verify the prices provided by Madoff in at least 185 separate instances where the prices were not possible based on market prices. In all instances, the information necessary for Citi Hedge to verify the prices of the securities traded by Madoff consisting of S&P 100 stocks was readily available through private financial services, such as Bloomberg, as well as on the Internet. Citi Hedge either did not verify Madoff's reported prices or ignored the inconsistencies with market prices.
- 148. Citi Hedge received millions of dollars in fees for its failed duties as administrator to the Kingate Funds. Between 2000 and 2007, Citi Hedge received \$4,177,479 for serving as the administrator to Kingate Global. Between 2000 and 2007, Citi Hedge received €926,640 for

serving as the administrator to Kingate Euro. These payments were based on the illusory NAV of the Kingate Funds, as calculated by Citi Hedge itself.

F. Bank Bermuda as Custodian

- 149. Bank Bermuda served as the custodian for the Kingate Funds from 1994 through 2008. As such, over \$975,541,729 was improperly transferred from BLMIS to the Kingate Funds through Bank Bermuda.
- 150. The Kingate Funds maintain at least three accounts at Bank Bermuda, including Account # 010-503324-511, Account # 010-5033324-512, and Account # 010-424174-561 (collectively, the "Bank Bermuda Accounts").
- 151. Bank Bermuda currently holds the remainder of monies not paid out to the Kingate Funds in the Bank Bermuda Accounts. The Bank Bermuda Account statements collectively reflect ending balances of approximately \$133 million as of December 2008, of which approximately \$108 million originated from BLMIS.⁴

G. The Kingate Funds as a Gateway to Madoff

- 152. Ceretti and Grosso further profited from the Kingate Funds by offering them to other fund managers as a gateway to BLMIS. Certain of the Kingate Fund's investors invested with BLMIS through multiple channels.
- 153. For example, Reliance Management (BVI) Limited, which was the manager of Defender Fund,⁵ first gained access to BLMIS in 1999 through investments it was managing in Kingate Global for its flagship fund, Reliance Multi-Adviser Fund Limited.
- 154. The Kingate Funds also provided another avenue for fund managers such as Pioneer Alternative Investments Ltd. ("Pioneer") to reach BLMIS. Pioneer is owned by

UniCredit S.p.A. (which also owns Bank Austria and Sonja Kohn's Bank Medici)⁶. Pioneer, through at least nine of the funds within its Momentum Group funds, was a substantial investor in Kingate from 2000 through 2008. Pioneer also invested in BLMIS through Fairfield Sentry and certain Bank Medici related funds.

IX. CERETTI, GROSSO, AND THE MANAGEMENT DEFENDANTS REPEATEDLY FAILED TO CONDUCT DUE DILIGENCE ON BLMIS AND THE KINGATE FUNDS

155. FIM Limited and its successor, FIM Advisers, were paid due diligence experts. When it came to Madoff, however, FIM did nothing at all. Rather than perform meaningful, independent, and reasonable due diligence, FIM, directed by Ceretti and Grosso (and Kingate Management), turned a knowing blind eye to all the indicia of fraud at BLMIS.

- A. Contrary to Its Practice and Policy, FIM Conducted No Meaningful Due Diligence on BLMIS or the Kingate Funds
- 156. Ceretti and Grosso enlisted their own Management Defendants to pretend that they performed due diligence on their own Kingate Funds. This structure avoided all independence and allowed Ceretti and Grosso to maintain the façade of a legitimate investment fund.
- 157. FIM claimed that it undertook extensive due diligence by regular reviews of markets, strategies, managers, and peer groups and that research specialists conducted in-depth analysis into every aspect of every potential investment. Moreover, FIM stated that each portfolio is subject to continuous analysis to ensure all risk factors are identified and controlled and all internal and external management portfolio policies are followed. Additionally, FIM

⁴ Approximately \$15 million in subscription money that came into the Bank Bermuda Accounts in December 2008 was returned to the subscribers as a result of an order of the Supreme Court of Bermuda.

⁵ The Trustee has filed a separate action in this Court against Defender in adversary proceeding No. 10-05229.

⁶ The Trustee has filed a separate action in this Court against Kohn, Pioneer, and HSBC in adversary proceeding No. 09-1364 and against Sonja Kohn and Pioneer in adversary proceeding No. 10-5411.

claimed that the Kingate Funds were actively monitored by research teams, the investment committee, and risk management to ensure accuracy.

- 158. Grosso claimed in November 2008 that FIM had "transparency" with respect to BLMIS and its operations. Ceretti, Grosso, and the Management Defendants routinely represented that they would exercise the proper care in selecting and monitoring the investment adviser (i.e., BLMIS).
- 159. Grosso admitted that the requisite due diligence was not performed on the Kingate Funds, writing in November 2008 that "[w]e have never done much [due diligence on Kingate], as it will be impossible to go inside Madoff to do a proper D[ue]D[iligence]." He went on to claim, however, that he "knew enough about Madoff" to suffice as due diligence.
- 160. No genuine due diligence on BLMIS or the Kingate Funds ever took place. When confronted in 2005 by an investor asking that a due diligence questionnaire be completed on Kingate Global, Grosso responded that due to Kingate Global's uniqueness, it "has never completed a due diligence questionnaire." Grosso continued that he would not be able to give her all the information she wants but the information she will get represents "all the information that will be available." Grosso knew enough not to share.
- 161. Ceretti and Grosso directed that FIM's due diligence procedures should not be applied to BLMIS or the Kingate Funds and FIM obeyed.
- 162. FIM recognized the disparate treatment given to BLMIS and the Kingate Funds when it came to due diligence. In an email to Grosso after news of the fraud broke, Lazear stated:

I know we have to do what is right for FIM, but we need to be cognizant of how this portrays our (FIM) process. [Kingate] is not a fund that went through our normal diligence process and I think it should not be depicted as if it had. We all worked hard to build our process to be the best in the industry, which I think it is, and I do not want it to get out there that one slipped past us when it did not.

- 163. Ceretti, Grosso, and the Management Defendants treated the Kingate Funds with the kid gloves that Madoff demanded and conducted no proper due diligence.
 - B. Certain FIM Employees Actively Suppressed Investigations by Other FIM Employees
 - 164. As early as 2004, senior FIM employees knew of serious fraud risks at BLMIS.
- 165. In January 2004, Brendan Robertson ("Robertson") joined FIM as director in the research and investment department.
 - 166. Scott Dragoo ("Dragoo") joined FIM as its head of research in January 2005.
- 167. Prior to their employment with FIM, both Dragoo and Robertson worked for Ivy Asset Management ("Ivy"), a fund manager. Dragoo worked for Ivy as a research analyst while Robertson was a senior research analyst.⁷
- 168. By 2002, Ivy had developed such strong suspicions about BLMIS and Madoff that it instituted a company policy of refusing to invest with BLMIS. On information and belief, Dragoo and Robertson, by virtue of their employment at Ivy, were aware of the basis for Ivy's policy.
- 169. A February 2008 email from Dragoo to another FIM employee demonstrates that Dragoo nonetheless actively dissuaded investigation into the Kingate Funds. In response to the FIM employee's statement that he could try to get information from Madoff about Kingate at a dinner event, Dragoo made his fellow employee "promise not to push Bernie for any information." When the employee questioned whether he could "even mention FIM or Carlo [Grosso]," Dragoo directed that the employee discuss the matter with him in person.
 - 170. On information and belief, based on their prior employment, these senior FIM

⁷ The Trustee has filed a separate action in this Court against Ivy in adversary proceeding No. 10-05356.

officers had actual or constructive knowledge of indicia of fraudulent activity at BLMIS. FIM nonetheless ignored these and other red flags and continued to actively solicit and oversee the investment of hundreds of millions of dollars with BLMIS.

- C. Ceretti and Grosso Suppressed Their Employee's Concerns and Requests to Conduct Proper Due Diligence on BLMIS and the Kingate Funds
- 171. Certain FIM personnel urged Ceretti and Grosso to allow FIM to conduct extensive and independent due diligence into BLMIS. Instead of acting on these recommendations, Ceretti and Grosso expressly directed FIM due diligence personnel to refrain from conducting any due diligence on BLMIS.
- 172. In June 2008, HSBC issued a warning on the Kingate Funds due to the lack of communication and information coming from Madoff. Grosso suppressed these warnings and dismissed the HSBC analyst as a "junior guy" and a "joker" for "rehashing old arguments" against Madoff. Grosso admitted that such concerns about Madoff were "not new" and that "[t]his has been going on for 20 years."
- 173. In November 2008, another analyst's caution regarding the Kingate Funds was passed along to Grosso. The analyst cited BLMIS's lack of transparency, Madoff's possible conflict of interest, and other due diligence concerns. Grosso attacked the analyst's professionalism and experience and dismissed the analyst's concerns stating that it was "quite evident that he [the analyst] has only a very limited knowledge of options strategies, as well as a very imperfect understanding of the Kingate structure, and possibly a poor understanding of the U.S. broker-dealer industry, its structure, functioning, and regulation."
- 174. When discussing Madoff's remarkably consistent returns with one of his own analysts, Grosso rejected the analyst's conclusion that Madoff's returns were impossible.
 - 175. Lazear repeatedly tried to convince Ceretti and Grosso that the Kingate Funds

should have nothing to do with BLMIS. In e-mails sent from Lazear in the aftermath of Madoff's arrest, he expressed great frustration that his analysis and recommendations had been rejected despite their merit. Lazear stated that he had believed BLMIS was a "scam" and had emailed Grosso "all the details" to support his beliefs <u>before</u> Madoff confessed. He recounted telling Grosso that if Grosso did not own FIM and the Kingate Funds, Lazear would "veto" FIM's involvement with Madoff.

- 176. Additionally, as FIM prepared communications to the Kingate Funds investors in early 2009, Lazear expressed concerns over how FIM's due diligence process was presented.

 Lazear was concerned that FIM represented to investors that it had conducted the standard due diligence for the Kingate Funds when in fact, it had not.
- 177. Thus, Ceretti and Grosso prevented the Management Defendants and their employees from conducting any meaningful due diligence into the Kingate Funds or BLMIS.
 - D. Grosso and FIM Rationalized BLMIS's Remarkably Consistent Performance as a Result of Illegal Front-Running
- 178. In 2001, an investment industry analyst published an article that called into question the legitimacy of BLMIS's operations. A May 2001 MAR/Hedge newsletter entitled "Madoff Tops Charts; Skeptics Ask How" reported on Fairfield Sentry's consistent returns and stated that experts were bewildered how Madoff achieved such returns so consistently and for so long. The article observed that "others who use or used the strategy are known to have had nowhere near the same degree of success."
- 179. In response to the article, Grosso prepared a "question and answer" document for FIM employees marked "INTERNAL NOTE NOT FOR DISTRIBUTION" purporting to explain the numerous "red flags" raised in the article, including the following:
 - (i) "How can there be such a relative complete lack of volatility in reported monthly returns?"

- (ii) "How can Madoff have the ability to time the market and to turn to cash before market conditions become negative?"
- (iii) "How can Madoff have the ability to buy and sell stocks without noticeably affecting the market?"
- (iv) "Why has no-one been able to duplicate similar results?"
- (v) "How come other Wall Street firms have not become aware of the strategy and traded against it?"
- (vi) "Why is Madoff willing to earn commissions on trades, but not set up a separate asset management division to offer hedge funds directly to investors?" and
- (vii) "Why doesn't Madoff borrow money and manage funds on a proprietary basis?"
- 180. Grosso's stated explanation to his own employees was that Madoff was illegally front running his own market-making business. In response to "[h]ow can Madoff have the ability to time the market and turn to cash before market conditions become negative," Grosso wrote that "Madoff benefits from unique market intelligence derived from the massive amount of order flow it handles daily."
- 181. In response to "Why has no one been able to duplicate similar results," Grosso wrote that "[b]eing such a large market maker (Madoff currently accounts for about 15 percent of all equity transactions in the United States), he sees the flows."
- 182. Remarkably, Grosso was stating that Madoff saw the pending orders that were due to be executed by the market-making department of BLMIS and was able to generate high returns for feeder funds by taking advantage of this insider knowledge. This illegal insider trading relies on material, non-public information that is acted on for the benefit of one of his clients to the detriment of his other Madoff client.
- 183. In this case, Grosso's justification for Madoff's readily apparent fraudulent activity simply substituted another kind of illegal activity.

- E. Ceretti, Grosso, the Kingate Funds, and the Management Defendants Exploited PricewaterhouseCoopers' Deficient Audits
- 184. Grosso and Kingate Management knew that PricewaterhouseCoopers ("PwC") relied heavily on reports from Madoff's auditors and did not perform any independent verification of the money flowing in and out of BLMIS's accounts. In fact, Grosso knew that all PwC did was check "the testing at Madoff" against the Kingate Funds' records (also provided by BLMIS) and found no need to "double audit."
- 185. Further, as Grosso stated in an email in February 2008, Grosso was cautious about how the Kingate Funds portrayed PwC's auditing to investors fearing that PwC might actually "start to ask all sort of questions next time they visit Madoff."

X. <u>CERETTI, GROSSO, THE KINGATE FUNDS, THE MANAGEMENT</u> <u>DEFENDANTS, AND CITI HEDGE WERE ON NOTICE OF INDICIA OF</u> FRAUDULENT ACTIVITY AT BLMIS

- are sophisticated investors and/or financial institutions that had regular access to the trade confirmations and account statements for the Kingate Funds' BLMIS accounts. Also, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge accepted fees in consideration for the independent, meaningful, and reasonable due diligence they were expected to exercise, but did not, in selecting and monitoring BLMIS as their investment manager.
- 187. Not only did Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge fail to inquire further, Ceretti, Grosso, and certain FIM employees suppressed any attempt by FIM to do so.
- 188. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge each regularly received false account statements and trade confirmations from BLMIS that demonstrated (among other things):

- a. The Kingate Funds' returns were consistent over too many years;
- b. Impossible options volume trading;
- c. Numerous instances where BLMIS reported selling securities outside the daily price ranges;
- d. BLMIS traded more equities than were available on the relevant exchanges;
- e. The Kingate Funds frequently had a negative cash balance;
- f. BLMIS purchased Treasurys before selling the securities from which the cash for the purchases originated;
- g. The options trades could not have been conducted in the Over-The-Counter Market;
- h. Madoff's options trades were inconsistent with the SSC strategy; and
- i. Settlement anomalies in options transactions.
- 189. Moreover, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge were on inquiry notice of BLMIS's fraud based on knowledge that:
 - j. Purported excessive trading volumes never impacted the market;
 - k. Madoff had supernatural timing when buying and selling stocks;
 - 1. The Kingate Funds entered into risky options contracts with unidentified counterparties;
 - m. The structure of BLMIS was opaque, secretive, and lacked independent oversight and customary internal controls;
 - n. BLMIS, known as high-technology firm, provided only paper statements;
 - o. A capable auditor was absent; and
 - p. BLMIS did not charge management fees.

The Kingate Funds Account Statements Reflected Substantial Quantitative Evidence of Fraud

190. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge had access to vast amounts of information about BLMIS that was not available to the public.

They received account statements and trade confirmations that demonstrated (among many other things): (1) impossibly consistent rates of returns that seemed to have no correlation to the S&P 100; (2) the inexplicable volume of trades of stocks, and options that BLMIS was allegedly executing; and (3) options trades that had no relation to the SSC Strategy.

A. The Kingate Funds' Returns Were Consistent over Too Many Years

- 191. Ceretti, Grosso, the Kingate Funds, and the Management Defendants promoted the Kingate Funds by highlighting their number of positive months of returns and their rare draw-downs. Like BLMIS, the Kingate Funds did not report unconscionably high returns but instead relied on their steady performance regardless of volatility in the market.
- 192. Both the Kingate Funds and BLMIS were effectively immune from any number of market catastrophes, enjoying steady rates of return at times when the rest of the market was experiencing financial crises. For example, from 2000 until 2008, the Kingate Funds averaged annual returns with BLMIS of approximately 11.7 percent. BLMIS purported to achieve these results with only four months of negative returns during a 98 month period from October 2000 through November 2008, while the S&P 100 experienced 46 months of negative returns over the same period.
- 193. The Kingate Funds and BLMIS maintained suspiciously and consistently positive rates of return during events that otherwise devastated financial markets such as: (i) the burst of the "dot com" bubble in 2000; (ii) the 2000-2002 bear market, including the disastrous market impact of the 2001 September 11th tragedy; and (iii) the dramatic recession and housing crisis of 2008. BLMIS continued to generate positive returns even during the last 14 months of BLMIS's existence, when the S&P fell no less than 39.4 percent. Madoff's SSC strategy purported to track the performance of the S&P 100 and its results were not credible. Such consistently positive returns have no correlation with the historical fluctuations of the S&P 100 Index, on

which BLMIS's trading activity was purportedly based.

Figure 1
Kingate Funds Rates of Return v. S&P Rates of Return 2000-2008

YEAR	KINGATE EURO	KINGATE GLOBAL	S&P 100 RATE
	RATE OF RETURN	RATE OF RETURN	OF RETURN
2000	14.8%	14.6%	(13.4%)
2001	13.7%	13.7%	(14.9%)
2002	12.1%	12.2%	(23.9%)
2003	10.9%	10.8%	23.8%
2004	9.9%	10.0%	4.5%
2005	10.3%	10.5%	(0.9%)
2006	13.4%	13.2%	15.9%
2007	10.8%	10.9%	3.8%
2008^{8}	9.3%	9.4%	(36.9%)

194. Despite the Kingate Funds' abnormally consistent positive returns, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge took no meaningful, reasonable or independent action to inquire further as to how such results could be achieved in accordance with Madoff's SSC Strategy.

B. The Kingate Funds' Account Statements from BLMIS Reflected Impossible Options Volume Trading

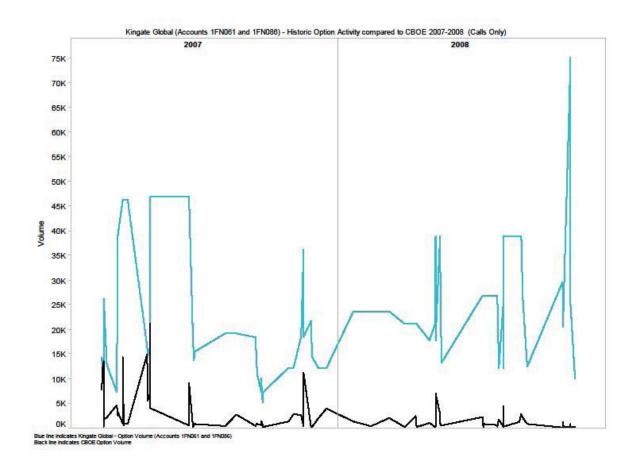
195. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge frequently reviewed the Kingate Funds' BLMIS account statements and trade confirmations.

These account statements and trade confirmations demonstrated that Madoff was claiming to engage in impossible option transactions. BLMIS would have had to execute massive numbers of options trades to implement its purported SSC strategy. To implement this strategy, BLMIS pretended to trade S&P 100 ("OEX") options to hedge the investment in a representative basket

⁸ The 2008 numbers are as of November 30, 2008 because that is the last date for which BLMIS generated customer account statements.

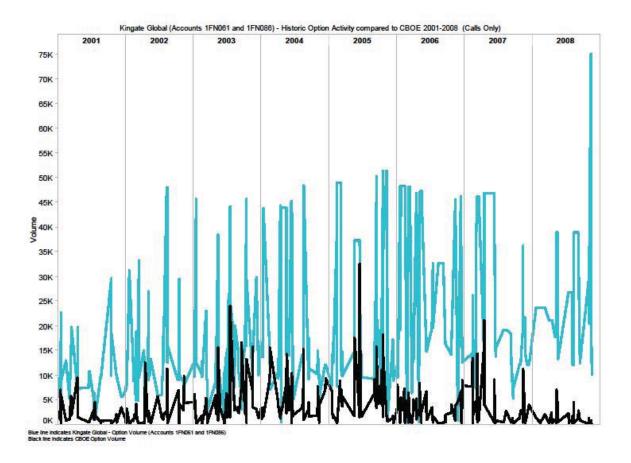
of stocks. On many occasions, through the Kingate Funds' history of investment with BLMIS, the options volume BLMIS reported to have engaged in on behalf of the Kingate Funds exceeded the total number of OEX options traded on the Chicago Board Options Exchange ("CBOE") for that contract on that day. The following charts demonstrates this point with respect to the call options BLMIS purported traded for the Kingate Funds over the last two years of its existence:

Call Options Traded on Behalf of the Kingate Funds in 2007-2008



196. In fact, since 2001, BLMIS had reported volumes for the Kingate Funds' calls options that were many times over the total number of call options executed on the CBOE, with the same purchase date, strike price, and expiration date. The following chart illustrates this

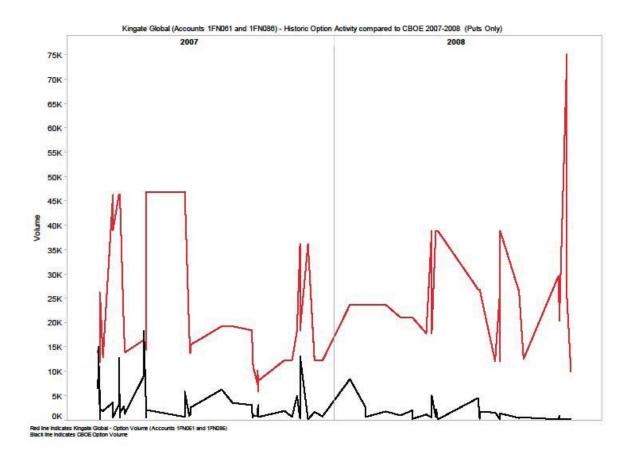
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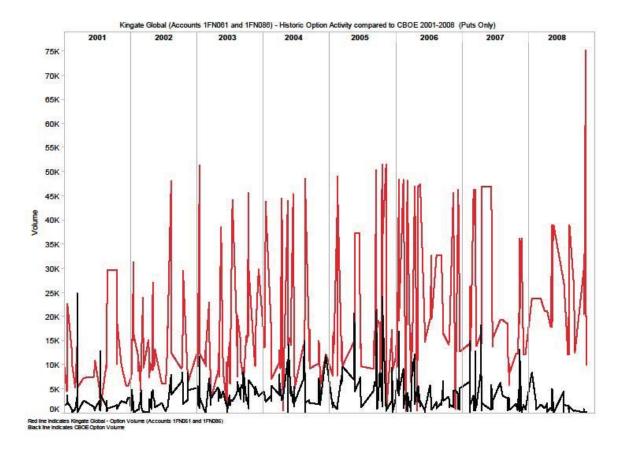
- 197. For a specific example, on June 15, 2001 BLMIS purportedly bought on Kingate Global's behalf a total of 6,271 OEX put options (with July expiration and a strike price of 625), when the total volume traded on the CBOE for those OEX put options for that day was 1,149. Similarly, on the same day, BLMIS purportedly sold on Kingate Global's behalf a total of 6,271 OEX call options (with July expiration and a strike price of 630), when the total volume traded on the CBOE for those OEX call options for that day was 490. It would have been impossible for BLMIS's volume to exceed that of the CBOE for the identical contract on the same day.
- 198. The same results are demonstrated by looking at the put option volume purportedly traded by the Kingate Funds compared to the CBOE. Specifically, the last two years

of the Kingate Funds' existence is demonstrated below:

Put Options Traded on Behalf of the Kingate Funds in 2007-2008



199. Similarly, since 2001, BLMIS had reported volumes for the put options that were many times over the total number of put options executed on the CBOE with the same purchase date, strike price, and expiration date. The following chart illustrates this point:



- 200. As a specific example, on January 16, 2004 BLMIS purportedly bought on Kingate Euro's behalf a total of 9,088 OEX put options (with February expiration and a strike price of 560), when the total volume traded on the CBOE for those OEX put options for that day was 2,324. Also on that day, BLMIS purportedly sold on Kingate Euro's behalf a total of 9,088 OEX call options (with February expiration and a strike price of 570) when the total volume traded on the CBOE for those OEX call options for that day was 1,515. Ceretti, Grosso, the Management Defendants, and Citi Hedge knew or should have known that these option trading volumes reported by BLMIS were impossible if exchange traded.
- 201. In total, there were at least 1,162 instances of option trades exceeding the volume traded on the CBOE on the Kingate Funds Accounts.

- C. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge Ignored Numerous Instances Where BLMIS Reported Selling Securities Outside the Daily Price Ranges
- 202. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge told the Kingate Funds' investors that they reviewed the BLMIS trade confirmations on a monthly basis. This "analysis" included reviewing the price paid or received on the purchase or sale of stocks and options to ensure that such price was within the range of prices for such stocks and options on the date of the trade.
- 203. FIM knew that Madoff's trading activity often reflected average trade values that were outside the daily range of prices for such securities. Spreadsheets prepared by FIM identified whether a given BLMIS trade was "within range" (i.e., whether the trade was within the daily price range for the high and low that day). FIM knew that a significant number of BLMIS's purported trades were impossible. FIM identified these "out of range" trades in a spreadsheet. In review of BLMIS records, BLMIS purported to make at least 320 "out of range" equity and options trades on behalf of the Kingate Funds from 1998 to 2008.
- 204. For example, the Kingate Funds' account statements for October 2003 reported purchases of 984,137 shares and 240,240 shares respectively for Intel Corporation (INTC), with a settlement date of October 7, 2003. BLMIS's records indicate these stocks were purchased on October 2, 2003 for \$27.63 per share. However, the daily price range for Intel Corporation stock purchased on October 2, 2003 ranged from a low of \$28.41 to a high of \$28.95. Ceretti, Grosso, the Management Defendants, and Citi Hedge supposedly reviewed these confirmations and took no action in response to this anomaly.
- 205. In an illustration of another purported sale, the Kingate Funds' account statements for December 2006 reported sales of 233,281 shares and 60,449 shares, respectively, for Merck (MRK) with a settlement date of December 28, 2006. BLMIS's records and the Kingate Funds'

trade confirmations reflect that these stocks were sold on December 22, 2006 for \$44.61. This purported trade was not possible. The price range for Merck stock sold on December 22, 2006 was between \$42.78 and \$43.42.

206. The sales and purchases of securities and options outside the publicly-reported trading ranges was a huge red flag, requiring further independent inquiry. Even though Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew of these facially impossible anomalies and specifically identified them as red flags, they chose to ignore them.

D. BLMIS Traded More Equities Than Were Available on the Relevant Exchanges

- 207. As sophisticated financial professionals, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge were, or should have been, on notice that the volume of shares being traded on behalf of the Kingate Funds was impossible as compared to the total assets under management by BLMIS and the total shares available on the market.
- 208. In 2006, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge could have easily deduced that BLMIS was trading in impossible volumes. When BLMIS was forced to register as an investment adviser in August 2006, it represented in the ADV Form filed with the SEC that BLMIS had approximately \$11.7 billion of assets under management at the end of July 2006. Later filings stated that BLMIS managed \$13.2 billion at the end of 2006. The Kingate Funds' account statements from BLMIS reported balances of approximately \$2.8 billion as of July 2006 and \$3.0 billion as of December 2006. Hence, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that the Kingate Funds comprised about 23 percent of the publicly disclosed BLMIS assets under management.
- 209. Between 2006 and 2008, despite knowing that the Kingate Funds constituted approximately 23 percent of the investments under management by BLMIS, Ceretti, Grosso, the

Kingate Funds, the Management Defendants, and Citi Hedge completely ignored at least five separate transactions where BLMIS alone purportedly represented over 50 percent of the market trading for a particular security on that day.

- 210. The Kingate Funds' account statements regularly indicated that BLMIS's trades in a particular stock accounted for more than 10 percent of that stock's trading on the entire composite tape, which includes all listed and unlisted market volumes. On information and belief, from 1998 through 2008, individual stock trades for just the Kingate Funds exceeded 10 percent of the market at least 236 times.
- 211. For example, on September 22, 2006 the Kingate Funds purportedly traded 618,792 shares of Wells Fargo & Company, which made up 17.4 percent of the shares of that security traded on the whole composite tape, which includes all listed and unlisted market volumes for that day. As such, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew or should have known that BLMIS alone was purportedly trading over 70 percent of the shares of Wells Fargo & Company traded that day an implausible percentage for one manager to be trading.

E. The Kingate Funds Frequently Had a Negative Cash Balance with BLMIS

- 212. Between 1998 and 2008, the Kingate Funds' cash accounts with BLMIS had a negative balance on 225 separate occasions for a total of approximately 724 days. Certain of the negative balances resulted from either the purchase of equities that exceeded the value of the Treasurys sold to fund the purchase, the purchase of put options prior to selling the call options they were meant to fund, or cash being withdrawn prior to the sale of equities to fund the withdrawal. Normally, when a customer purchases assets prior to the funds being available in the customer's account, the customer is buying on "margin."
 - 213. The Kingate Funds did not have a margin account with BLMIS and could not

have traded on margin. The fact that the Kingate Funds had a negative cash balance with BLMIS on 255 separate occasions put Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge on inquiry notice of fraudulent activity at BLMIS.

- 214. Even if BLMIS was buying on margin with the permission of the Kingate Funds, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew or should have known that BLMIS was acting in a suspiciously irregular if not unlawful manner. When buying on margin, customers incur and are generally charged margin interest because buying on margin is effectively buying the underlying security with a loan from the investment adviser/broker dealer. On information and belief, BLMIS never charged the Kingate Funds any margin interest for this extension of credit, effectively giving millions of dollars to the Kingate Funds as a tax-free gift. These extensions of credit were not trivial.
- 215. The table below illustrates a sample of the numerous of instances the Kingate Funds had negative cash balances.

Figure 2
Kingate Funds Negative Cash Balances
2000-2008

DATE	KINGATE GLOBAL AVERAGE BALANCE	KINGATE EURO AVERAGE	NUMBER OF DAYS
		BALANCE	
7/19/1999	(28,421,606)	(5,272,252)	2
6/14/2000	(1,449,661)	(286,613)	2
7/25/2002	(5,082,198)	(1,051,713)	6
6/3/2004	(13,815,039)	(3,742,508)	6
5/22/2008	(23,015,541)	(7,848,209)	1

- F. BLMIS Purchased Treasurys Before Selling the Securities from Which the Cash for the Purchases Originated
- 216. As part of the SSC Strategy, Madoff would allegedly move the Kingate Funds' money into Treasurys when it was no longer advantageous to be in the market. When market conditions improved, Madoff would sell the Treasurys and use the proceeds to purchase a new

basket of stocks.

- 217. In reviewing the Kingate Funds' account statements, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge should have noted the impossible transactions ostensibly taking place with regard to BLMIS's purported SSC Strategy. The account statements reflected occasions where BLMIS purchased securities before selling the Treasurys, an implausible scenario since the Kingate Funds' cash was supposedly tied up in Treasurys with no cash available to settle the equities purchases. Likewise, the trading confirmations would show a move from equities back into Treasurys before the Kingate Funds would have obtained cash from the sale of the equities.
- 218. Despite these clear indicia of fraudulent activity at BLMIS, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge made no further inquiry and took no action.
 - G. The Options Trades Could Not Have Been Conducted in the Over-The-Counter Market
- 219. At times, when questioned about the availability of sufficient exchange traded options for the SSC Strategy, Madoff often responded that he traded in the OTC Market. This claim was facially implausible, as the options purportedly traded on the Kingate Funds' behalf could not have been sold in the OTC market. Trading options in the OTC market would have been more expensive than trading on the CBOE, yet on information and belief, those costs were not incurred by BLMIS or passed on to its investors. The absence of such costs, together with BLMIS's representation that it was trading in the OTC market, should have prompted sophisticated investors like Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge to request verification of the trades and demand more concrete information about the operations of BLMIS.

- 220. Also, in the OTC market, option counterparties are typically expressly identified on trade confirmations. On information and belief, as was typical for all BLMIS accounts, none of the options trade confirmations sent on behalf of the Kingate Funds ever identified the counterparty.
- 221. Finally, options traded on the CBOE have a unique identifier known as a "CUSIP" number that allows traders to quickly access electronic information regarding a particular transaction. OTC options are not assigned a CUSIP number. Despite this fundamental difference, the Madoff confirmations reviewed by Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge included a CUSIP number, even though the ostensible trades were private OTC transactions.

H. Madoff's Options Trades Were Inconsistent with the SSC Strategy

- 222. As part of the SSC Strategy, BLMIS claimed to buy puts and write calls to hedge gains and losses of the underlying equities. Upon information and belief, on a number of occasions, account statements purported to show gains on behalf of the Kingate Funds, resulting from transactions inconsistent with the SSC Strategy. Certain of these transactions involved short term option trading that resulted in substantial gains for the Kingate Funds. For example, in 2008, Kingate Global and Kingate Euro each participated in two of these trades, which generated gains of approximately \$25.5 million and \$8.8 million, respectively. These transactions represented approximately 11% of the total return for Kingate Global and Kingate Euro in 2008. These gains were purportedly achieved through speculation in the options market, which would contradict the premise of the SSC Strategy. Between 1996 and 2008, Kingate Global and Kingate Euro benefitted in excess of \$136 million and \$33 million, respectively, from such trades.
 - 223. Additionally, the SSC Strategy required that the hedge be adjusted to reflect a

change in the equities being hedged if some of the underlying equities were sold early. BLMIS, however, often sold out of an equity prior to liquidation of the entire basket and did not adjust the hedge for that partial sale of the underlying equities. Between January 2000 and November 2008, the underlying equities for the Kingate Funds changed without a corresponding adjustment to the hedge approximately 79 times.

- 224. All of these occurrences should have pointed Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge to the fact that BLMIS's options trades were inconsistent with Madoff's SSC Strategy and served as an indicia of fraud. Yet, despite Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge's sophistication, no investigation was conducted.
 - I. The Kingate Funds' Trade Confirmations Frequently Contained Settlement Anomalies in Options Transactions
- 225. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge ignored options transactions made on behalf of the Kingate Funds that settled in a time range outside of industry norms. According to industry standards, the settlement date for listed options is the business day following the trade date, referred to as T+1. However, BLMIS's statements for the Kingate Funds showed that a high percentage of options contracts settled as late as three days after the trade date.
- 226. Demonstrably, at least 555 out of the 2,149 total options contracts transacted on behalf of the Kingate Funds settled outside the normal period of T+1. Therefore, almost 26 percent of all purported options activity in the Kingate Funds' BLMIS accounts did not comply with standard trading practices.
- 227. Anyone performing verification or monitoring should have raised this settlement date anomaly as a red flag. Ceretti, Grosso, the Kingate Funds, the Management Defendants,

and Citi Hedge were either aware of these irregularities and ignored them, or failed to reasonably and meaningfully investigate them on behalf of their investors.

Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge Were on Inquiry Notice of Fraudulent Activity at BLMIS

- J. The Purported Excessive Trading Volumes Never Impacted the Market
- 228. Madoff told Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge that the SSC Strategy involved moving all assets into the market over the span of a few days. Then, when Madoff's computer model so indicated, BLMIS purportedly sold those securities over a similar period. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that BLMIS had over \$13.6 billion under management as of 2006.
- 229. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge, therefore, understood that BLMIS purported to move over \$13 billion into and out of the market over the course of just a few days numerous times every year. This enormous volume should have caused significant market reactions and price displacement. Such displacement was never observed because the trading did not occur. Based on the lack of observable market reaction, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew or should have known that Madoff's trades were not happening as he claimed.

K. Madoff's Supernatural Timing When Buying and Selling Stocks

230. Pricing reflected on the Kingate Funds' trade confirmations and account statements further demonstrated the implausibility of Madoff's trades, which almost always occurred at precisely the right time of the day. With remarkable consistency, when Madoff was purchasing shares, the reported average price was in the lower half of the daily trade range, and when selling shares, the sale price was in the upper half of the daily trade range.

- 231. Madoff's success rate alone was a red flag. Madoff also represented to investors that he was time-slicing (entering the market at specific intervals over the course of a trading day), and thus the reported price was an average. In purchasing or selling a stock several times during the trading day, Madoff's reported prices should have gravitated toward the daily midpoint. Instead, they gravitated toward Madoff's optimal price point—a statistical impossibility.
- 232. For example, the Kingate Funds' account statements and trade confirmations indicate that, from 1998 to 2008, 77 percent of equity buys occurred in the lower half of the daily price range and 70 percent of equity sells occurred in the upper half of the daily price range. For example, the Kingate Global March 2000 BLMIS account statement indicated that 42 of 66 purported equity sells occurred in the upper half of the daily price range.
- 233. As further example, BLMIS reported that on March 3, 2000, it bought for the Kingate Funds 68,244 shares of Texas Instruments at a price of \$178.50. The low for Texas Instruments that day was \$178 while the high was \$188.13. The Volume Weighted Average Price was \$182.32. Considering that the Kingate Funds share alone would have been roughly 10 percent of the market transactions that day for Texas Instruments (6,605,600 shares were bought and sold that day), it would not have been possible for BLMIS to have purchased that many shares of Texas Instruments on that day for that extremely low average price.
- 234. Because Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge are sophisticated financial professionals and had access to the Kingate Funds' account statements and trade confirmations, they should have known that these purported trades were statistically impossible. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge accepted that BLMIS's purported trading activity defied laws of supply and demand, common sense and industry practice.

- L. The Kingate Funds Entered Into Risky Options Contracts with Unidentified Counterparties
- 235. Trading OTC options would have required BLMIS to enter into private, individually negotiated contracts with willing counterparties. The Kingate Funds executed a Master Agreement for OTC Options. Under the agreement, BLMIS served as the agent to the Kingate Funds in entering into any options trades. Those trades are private contracts between the Kingate Funds and the counterparty. If the counterparty failed to perform, it was the Kingate Funds, not BLMIS, that were exposed.
- 236. BLMIS was supposed to act only as an agent for the Kingate Funds. Indeed, the Master Agreement explicitly states that the Kingate Funds could not seek recourse from BLMIS if the counterparty failed to perform. On information and belief, BLMIS refused to identify these counterparties to its clients. The fact that the Kingate Funds' options contracts contained unidentified counterparties put Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge on inquiry notice of fraudulent activity at BLMIS.
- 237. Madoff claimed the options counterparties entered into agreements identical to ones executed by BLMIS's investors. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge never reviewed such an agreement, undoubtedly because such an agreement is likely impossible. Because BLMIS allegedly traded options in large blocks, dividing contracts proportionally among its investors, an options counterparty would not know which party it was relying on to perform the agreement. Options dealers handling the volumes claimed by BLMIS do not expose themselves to such credit risks without knowing the other party.
- 238. Madoff knew that such lack of transparency would concern investors in BLMIS and its feeder funds. Thus he claimed to force the options counterparties to deposit Treasurys to

ensure performance. Despite Madoff's claim, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge never received any evidence of where and how these imaginary Treasurys were posted.

- 239. Madoff also claimed that because the investors were holding the basket of stocks, the counterparty used the stocks as collateral. Such a claim leads to further inconsistencies. First, Madoff claimed the option counterparty could not seize the investors' equities, which would make the entire "collateral" claim illusory. Second, there was no restriction on Madoff's investors closing out or partially withdrawing from their accounts, creating the possibility that an account could quickly become null and again leave no collateral for an option trader. Again, despite this flawed logic, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge blindly accepted Madoff's explanation.
- 240. On information and belief, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge never questioned Madoff about these matters. Nor did they perform any independent due diligence. Sophisticated financial professionals like Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge should have easily detected the flawed structure and recognized it as yet another indicia of fraudulent activity at BLMIS.
 - M. The Structure of BLMIS Was Opaque, Secretive, and Lacked Independent Oversight and Customary Internal Controls
- 241. Madoff purportedly held positions at BLMIS that would normally be occupied by four separate entities he was the investment adviser, custodian, and administrator of the 703 Account, as well as the broker-dealer who initiated and executed the phantom trades. This meant that there was neither an independent custodian to assure the proper segregation of assets, nor was there an independent third-party to verify the existence and value of BLMIS's investments or transactions. This "self-custody" structure eliminated a critical internal control, widely

recognized as basic in both the brokerage and investment management industry, that prevents fraud by having an independent custodian hold and confirm the actual existence of securities for investors.

- 242. In 2006, Grosso asked that certain statements in the Kingate Funds' disclosure to investors regarding such conflicts of interests be removed because he claimed it would "bother" investors.
- 243. On information and belief, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge did not reasonably or independently verify that the securities purportedly bought, sold, or held for the Kingate Funds existed. On information and belief, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge accepted Madoff's explanation for this facially suspicious practice. Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge did not perform any independent, meaningful, or reasonable due diligence despite being on notice of this red flag.

N. BLMIS, Known as High-Technology Firm, Provided Only Paper Statements

- 244. Despite being a technological pioneer of electronic trading, Madoff did not provide his customers with real-time electronic access to their accounts, which was and is customary in the industry for hedge fund and fund of fund investors. Indeed, BLMIS used outmoded technology and provided only printed account statements and paper trading confirmations that were sent via U.S. mail, three to four days after the trades occurred, a practice that enabled Madoff and BLMIS to pick trades for the statements using hindsight.
- 245. Even though Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge knew that Madoff and BLMIS were technologically savvy and Grosso himself called Madoff a "technology addict," Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge accepted without protest paper copies of Kingate Funds' trade

confirmations. This was a practice plainly rife with the risk of fraud.

O. Absence of a Capable Auditor

- 246. Even the one institutional check on the IA Business's activities the fact that it was audited by an independent auditor was itself a major warning sign for investors. BLMIS ostensibly had tens of billions of dollars under management, yet was audited by Friehling & Horowitz C.P.A. P.C. ("F&H"), an accounting firm with only two accountants, one of whom was semi-retired and living Florida. The firm's offices were located in a strip mall and FIM knew that the BLMIS auditor for BLMIS was a "small one in Rockland county [sic] NY."
- 247. On November 3, 2009, David Friehling pleaded guilty to seven counts of securities fraud, investment adviser fraud, obstructing or impeding the administration of Internal Revenue laws, and making false filings with the SEC, all in connection with Madoff and BLMIS.
- 248. On information and belief, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge did not independently confirm whether F&H was adequately staffed, technically equipped, or professionally qualified, or even capable of performing large scale domestic and international auditing services at a time when Madoff was reporting over \$13 billion under management.
- 249. The size and lack of professional qualification of F&H and the nature of the services they provided were readily accessible to Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge. All accounting firms that perform audit work must enroll in the peer review program of the American Institute of Certified Public Accountants' ("AICPA"). This program involves the assessment by experienced auditors of a firm's audit quality. F&H, while a member of the AICPA, had not been peer reviewed since 1993. The firm avoided the requirement by stating, in writing, that it did not actually perform any auditing work. The results of these peer reviews are a matter of public record and on file with the AICPA.

250. That BLMIS, with billions of dollars under management, relied on an auditor like F&H, should have been a red flag to Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge. Instead, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge ignored this red flag, did not inquire further, and continued to develop their relationships with BLMIS.

P. Management Fees

251. BLMIS gave Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge a powerful incentive to turn a blind eye to its numerous indicia of fraud. Madoff, contrary to industry standards, agreed to a compensation structure that left hundreds of millions, if not billions, of dollars on the table. Madoff purported to be satisfied with simply earning a trading commission of four-cents per share and one dollar per option contract. The standard investment advisery fee charged by a hedge fund manager ranges from 1 percent to 2 percent of assets under management plus a performance fee of 10 percent to 20 percent of any profits earned by the investment. Fees normally run higher for investment advisers with a history of success. By contrast, Ceretti, Grosso, the Kingate Funds, the Management Defendants, and Citi Hedge, whose only role was to feed money to BLMIS, received substantial management and administrative fees and a share of the profits that would normally go to the entity in the position of BLMIS.

XI. THE TRANSFERS

252. According to BLMIS's records, Kingate Global and Kingate Euro maintained accounts 1FN061 and 1FN086, respectively, with BLMIS set forth on Exhibit A (the "Accounts"). For their respective accounts, Kingate Global and Kingate Euro executed a Customer Agreement, an Option Agreement, and/or a Trading Authorization Limited to Purchases and Sales of Securities and Options (collectively, the "Account Agreements"), and

delivered such documents to BLMIS at its headquarters at 885 Third Avenue, New York, New York.

- 253. The Account Agreements were to be performed in New York, New York through securities trading activities that would take place in New York, New York. The Accounts were held in New York, New York, and Kingate Global and Kingate Euro sent funds to BLMIS in New York, New York for application to the Accounts and for the purported conducting of trading activities.
- 254. Prior to the Filing Date, BLMIS transferred at least \$975,541,729 to, or for the benefit of, Kingate Global and Kingate Euro in the form of withdrawals from their accounts (the "Transfers"), as set forth in Exhibit B, under circumstances that should have put Kingate Global and Kingate Euro on actual or inquiry notice that the purported account activity was inconsistent with legitimate trading activity and credible returns, that Ceretti, Grosso, the Kingate Funds, the Management Defendants, the Ceretti and Grosso Shell Company Defendants, and Citi Hedge were benefitting from fraudulent transactions in the Kingate Global and Kingate Euro accounts, that the IA Business was predicated on fraudulent activities, and/or that the transfers were fraudulent.
- 255. Of the Transfers, avoidable and recoverable initial transfers in the approximate total amount of \$437,501,112 were transferred to, or for the benefit of, Kingate Global (the "Kingate Global Transfers"). See Exhibit B, Column 5. Of the Transfers, avoidable and recoverable initial transfers in the total amount of \$538,040,617 were transferred to, or for the benefit of, Kingate Euro (the "Kingate Euro Transfers"). See Exhibit B, Column 5. Kingate Global and Kingate Euro were initial transferees of the avoidable transfers set forth above.
- 256. The Kingate Global Transfers and the Kingate Euro Transfers were and continue to be Customer Property within the meaning of section 78*lll*(4) of SIPA, and are avoidable and

recoverable under sections 544, 547, 548, 550(a), and 551 of the Bankruptcy Code, applicable provisions of SIPA, particularly section 78fff-2(c)(3), and applicable provisions of N.Y. CPLR 203(g) and 213(8) (McKinney 2001) and DCL sections 273 – 279 (McKinney 2001).

- 257. Of the Transfers, BLMIS made payments or other transfers to, or for the benefit of, Kingate Global totaling at least \$101,753,145 during the 90 days prior to the Filing Date (the "Kingate Global Preference Period Transfers"). See Exhibit B, Column 9.
- 258. Of the Transfers, BLMIS made payments or other transfers to, or for the benefit of, Kingate Euro totaling at least \$155,606,833 during the 90 days prior to the Filing Date (the "Kingate Euro Preference Period Transfers"). See Exhibit B, Column 9.
- 259. The Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers were and continue to be Customer Property within the meaning of section 78lll(4) of SIPA, and are avoidable and recoverable under sections 547, 550(a) and 551 of the Bankruptcy Code and applicable provisions of SIPA, particularly section 78fff-2(c)(3).
- 260. Of the Transfers, BLMIS made transfers to, or for the benefit of, Kingate Global totaling at least \$163,447,509 during the two years prior to the Filing Date (the "Kingate Global Two-Year Transfers"). See Exhibit B, Column 10.
- 261. Of the Transfers, BLMIS made transfers to, or for the benefit of, Kingate Euro totaling at least \$248,979,674 during the two years prior to the Filing Date (the "Kingate Euro Two-Year Transfers"). See Exhibit B, Column 10.
- 262. The Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers were and continue to be Customer Property within the meaning of section 78*lll*(4) of SIPA, and are avoidable and recoverable under sections 548, 550(a) and 551 of the Bankruptcy Code and applicable provisions of SIPA, particularly section 78fff-2(c)(3).
 - 263. Of the Transfers, BLMIS made transfers to Kingate Global totaling at least

\$398,704,065 during the six years prior to the Filing Date (the "Kingate Global Six-Year Transfers). See Exhibit B, Column 11.

- 264. Of the Transfers, BLMIS made transfers to, or for the benefit of, Kingate Euro totaling at least \$475,485,759 during the six years prior to the Filing Date (the "Kingate Euro Six-Year Transfers"). See Exhibit B, Column 11.
- 265. The Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers were and continue to be Customer Property within the meaning of section 78*lll*(4) of SIPA, and are avoidable and recoverable under sections 544, 550(a) and 551 of the Bankruptcy Code, applicable provisions of SIPA, particularly 78fff-2(c)(3), and applicable provisions of DCL sections 273 279.
- 266. On information and belief, the Management Defendants received subsequent transfers of the avoidable transfers in the form of fees from Kingate Euro and Kingate Global, which are recoverable under section 550(a) of the Bankruptcy Code (the "Management Defendants Subsequent Transfers").
- 267. On information and belief, the Ceretti and Grosso Shell Company Defendants received subsequent transfers of avoidable and recoverable transfers in the form of fees from the Management Defendants, which are recoverable under section 550(a) of the Bankruptcy Code (the "Ceretti and Grosso Shell Company Defendant Subsequent Transfers").
- 268. On information and belief, Ceretti and Grosso received subsequent transfers of avoidable and recoverable transfers in the form of fees from the Ceretti and Grosso Shell Company Defendants and/or the Management Defendants, which are recoverable under section 550(a) of the Bankruptcy Code (the "Ceretti and Grosso Subsequent Transfers").
- 269. On information and belief, Citi Hedge received subsequent transfers of the avoidable and recoverable transfers in the form of fees from Kingate Euro and Kingate Global,

which are recoverable under section 550(a) of the Bankruptcy Code (the "Citi Hedge Subsequent Transfers").

- 270. The Management Defendants Subsequent Transfers, the Ceretti and Grosso Shell Company Defendant Subsequent Transfers, Ceretti and Grosso Subsequent Transfers, and Citi Hedge Subsequent Transfers (collectively the "Subsequent Transfers") were made to, or for the benefit of, the Management Defendants, the Ceretti and Grosso Shell Company Defendants, Cerretti, Grosso, and Citi Hedge (collectively the "Subsequent Transferee Defendants").
- 271. The Subsequent Transfers, or the value thereof, are recoverable from the Subsequent Transferee Defendants under section 550(a) of the Bankruptcy Code.
- 272. To the extent that any of the recovery counts may be inconsistent with each other, they are to be treated as being pleaded in the alternative.
- 273. The Trustee's investigation is ongoing and the Trustee reserves the right to: (i) supplement the information regarding the Transfers and any additional transfers; and (ii) seek recovery of such additional transfers.

CUSTOMER CLAIMS

- 274. Kingate Global filed Customer Claim No. 15359 on or about July 2, 2009 and Kingate Euro filed Customer Claim No. 15358 on or about July 2, 2009, (collectively, the "Customer Claims"). To date, the Trustee has yet to determine the Customer Claims.
- 275. On December 23, 2008, this Court entered an Order on Application for Entry of an Order Approving Form and Manner of Publication and Mailing of Notices, Specifying Procedures for Filing, Determination, and Adjudication of Claim, and Providing Other Relief ("Claims Procedures Order"; Docket No. 12). The Claims Procedures Order includes a process for determination and allowance of claims under which the Trustee has been operating. The Trustee intends to pursue resolution of the Customer Claims, their objections and any other

related objections to the Trustee's determination of such claims through a separate hearing as contemplated by the Claims Procedures Order.

COUNT ONE PREFERENTIAL TRANSFERS 11 U.S.C. §§ 547(b), 550(a), AND 551

- 276. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 277. At the time of each of the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers, Kingate Global and Kingate Euro were "creditors" of BLMIS within the meaning of section 101(10) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 278. Each of the Kingate Global Preference Period Transfers and Kingate Euro

 Preference Period Transfers constitutes a transfer of an interest of BLMIS in property within the meaning of section 101(54) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 279. Each of the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers was to, or for the benefit of, Kingate Global and Kingate Euro.
- 280. Each of the Kingate Global Preference Period Transfers and Kingate Euro

 Preference Period Transfers was made for, or on account of, an antecedent debt owed by BLMIS
 before such transfer was made.
- 281. Each of the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers was made while BLMIS was insolvent.
- 282. Each of the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers was made during the 90-day preference period under section

547(b)(4) of the Bankruptcy Code.

- 283. Each of the Kingate Global Preference Period Transfers and Kingate Euro
 Preference Period Transfers enabled Kingate Global and Kingate Euro to receive more than
 Kingate Global or Kingate Euro would receive if: (i) this case was a case under chapter 7 of the
 Bankruptcy Code; (ii) the transfers had not been made; and (iii) such transferee received
 payment of such debt to the extent provided by the provisions of the Bankruptcy Code.
- 284. Each of the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers constitutes a preferential transfer avoidable by the Trustee under section 547(b) of the Bankruptcy Code and recoverable from Kingate Global and Kingate Euro as initial transferees or the entities for whose benefit such transfers were made under section 550(a) of the Bankruptcy Code.
- 285. As a result of the foregoing, under sections 547(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and preserving the Kingate Global Preference Period Transfers and the Kingate Euro Preference Period Transfers; (ii) directing that the Kingate Global Preference Period Transfers and Kingate Euro Preference Period Transfers be set aside; and (iii) recovering the Kingate Global Preference Period Transfers and the Kingate Euro Preference Period Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT TWO ACTUAL FRAUDULENT TRANSFER 11 U.S.C. §§ 548(a)(1)(A), 550(a), AND 551

(Against Kingate Global and Kingate Euro)

286. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.

- 287. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers was made on or within two years before the Filing Date.
- 288. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers constituted a transfer of an interest of BLMIS in property within the meaning of sections 101(54) and 548(a) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 289. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers were made by BLMIS with the actual intent to hinder, delay, or defraud some or all of BLMIS's then existing or future creditors. BLMIS made the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers to, or for the benefit of, Kingate Global and Kingate Euro in furtherance of a fraudulent investment scheme.
- 290. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers constitute a fraudulent transfer avoidable by the Trustee under section 548(a)(1)(A) of the Bankruptcy Code and recoverable from Kingate Global and Kingate Euro under section 550(a) of the Bankruptcy Code and SIPA § 78fff-(2)(c)(3).
- 291. As a result of the foregoing, under sections 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment: (i) avoiding and preserving the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; (ii) directing that the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers be set aside; and (iii) recovering the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT THREE CONSTRUCTIVE FRAUDULENT TRANSFER 11 U.S.C. §§ 548(a)(1)(B), 550(a), AND 551

- 292. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 293. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers was made on or within two years before the Filing Date.
- 294. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers constitutes a transfer of an interest of BLMIS in property within the meaning of sections 101(54) and 548(a) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).
- 295. BLMIS received less than a reasonably equivalent value in exchange for each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers.
- 296. At the time of each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers, BLMIS was insolvent, or became insolvent as a result of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers.
- 297. At the time of each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers, BLMIS was engaged in a business or a transaction, or was about to engage in a business or a transaction, for which any property remaining with BLMIS was an unreasonably small capital.
- 298. At the time of each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers, BLMIS intended to incur, or believed that it would incur, debts that would be beyond BLMIS's ability to pay as such debts matured.
- 299. Each of the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers constitute fraudulent transfers avoidable by the Trustee under section 548(a)(1)(B) of

the Bankruptcy Code and recoverable from Kingate Global and Kingate Euro under section 550(a) and SIPA § 78fff-(2)(c)(3).

300. As a result of the foregoing, under sections 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; (ii) directing that the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; and (iii) recovering the Two-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT FOUR ACTUAL FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§ 276, 276-a, 278, AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551

- 301. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 302. At all times relevant to the Kingate Global Transfers and the Kingate Euro Transfers, there have been one or more creditors who have held and still hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the Bankruptcy Code.
- 303. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers constituted a conveyance by BLMIS as defined under DCL section 270.
- 304. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers was made by BLMIS with the actual intent to hinder, delay, or defraud the creditors of BLMIS. BLMIS made the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers to or for the benefit of Kingate Global and Kingate Euro in furtherance of a fraudulent

investment scheme.

- 305. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers was received by Kingate Global and Kingate Euro with actual intent to hinder, delay or defraud creditors of BLMIS at the time of each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, and/or future creditors of BLMIS.
- 306. As a result of the foregoing, under DCL sections 276, 276-a, 278, and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS; and (iv) recovering attorneys' fees from Kingate Global and Kingate Euro.

COUNT FIVE CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§ 273 AND 278, AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551

- 307. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 308. At all relevant times there was and is at least one or more creditors who held and hold matured or unmatured unsecured claims against BLMIS that were and are allowable under section 502 of the Bankruptcy Code or that were and are not allowable only under section 502(e) of the Bankruptcy Code.
 - 309. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year

Transfers constituted a conveyance by BLMIS as defined under DCL section 270.

- 310. BLMIS did not receive fair consideration for the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers.
- 311. BLMIS was insolvent at the time it made each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers or, in the alternative, BLMIS became insolvent as a result of each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers.
- 312. As a result of the foregoing, under DCL sections 273, 278, and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT SIX CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW §§274, 278 AND/OR 279, AND 11 U.S.C. §§ 544, 550(a), AND 551

- 313. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 314. At all relevant times there was and is at least one or more creditors who held and hold matured or unmatured unsecured claims against BLMIS that were and are allowable under section 502 of the Bankruptcy Code or that were and are not allowable only under section 502(e) of the Bankruptcy Code.

- 315. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers constituted a conveyance by BLMIS as defined under DCL section 270.
- 316. BLMIS did not receive fair consideration for the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers.
- 317. At the time BLMIS made each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, BLMIS was engaged or was about to engage in a business or transaction for which the property remaining in its hands after each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers was an unreasonably small capital.
- 318. As a result of the foregoing, under DCL sections 274, 278, and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT SEVEN CONSTRUCTIVE FRAUDULENT TRANSFER – NEW YORK DEBTOR AND CREDITOR LAW \$\ 275, 278 AND/OR 279, AND 11 U.S.C. \\$\ 544, 550(a), AND 551

- 319. The Trustee incorporates by reference the allegations contained in the previous paragraphs of the Complaint as if fully rewritten herein.
- 320. At all relevant times there was and is at least one or more creditors who held and hold matured or unmatured unsecured claims against BLMIS that are allowable under section 502 of the Bankruptcy Code or that are not allowable only under section 502(e) of the

Bankruptcy Code.

- 321. Each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers constituted a conveyance by BLMIS as defined under DCL section 270.
- 322. BLMIS did not receive fair consideration for the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers.
- 323. At the time BLMIS made each of the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, BLMIS had incurred, was intending to incur, or believed that it would incur debts beyond its ability to pay them as the debts matured.
- 324. As a result of the foregoing, under DCL sections 275, 278, and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from the Kingate Global and Kingate Euro for the benefit of the estate of BLMIS.

COUNT EIGHT

RECOVERY OF ALL FRAUDULENT TRANSFERS – NEW YORK CIVIL PROCEDURE LAW AND RULES 203(g), 213(8) AND NEW YORK DEBTOR AND CREDITOR LAW §§ 276, 276-a, 278, AND/OR 279, 11 U.S.C. §§ 544, 550(a), AND 551

(Against Kingate Global and Kingate Euro)

- 325. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 326. At all times relevant to the Kingate Global Transfers and the Kingate Euro Transfers, the fraudulent scheme perpetrated by BLMIS was not reasonably discoverable by at least one unsecured creditor of BLMIS.

- 327. Each of the Kingate Global Transfers and Kingate Euro Transfers constituted a conveyance by BLMIS as defined under DCL section 270.
- 328. Each of the Kingate Global Transfers and the Kingate Euro Transfers was made by BLMIS with the actual intent to hinder, delay, or defraud the creditors of BLMIS. BLMIS made the Transfers to or for the benefit of Kingate Global and Kingate Euro in furtherance of a fraudulent investment scheme.
- 329. Each of the Kingate Global Transfers and the Kingate Euro Transfers was received by Kingate Global and Kingate Euro with actual intent to hinder, delay or defraud creditors of BLMIS at the time of each of the Kingate Global Transfers and the Kingate Euro Transfers, and/or future creditors of BLMIS.
- 330. As a result of the foregoing, under NY CPLR 203(g), 213(8), DCL sections 276, 276-a, 278, and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Transfers and the Kingate Euro Transfers; (ii) directing that the Kingate Global Transfers and the Kingate Euro Transfers be set aside; (iii) recovering the Kingate Global Transfers and the Kingate Euro Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS; and (iv) recovering attorneys' fees from Kingate Global and Kingate Euro.

COUNT NINE RECOVERY OF SUBSEQUENT TRANSFERS – NEW YORK DEBTOR AND CREDITOR LAW §§ 273 – 279 AND 11 U.S.C. §§ 544, 547(b), 548, 550(a), AND 551

(Against the Subsequent Transferee Defendants)

- 331. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
 - 332. Each of the Kingate Global Transfers and Kingate Euro Transfers is avoidable

under section 78fff-2(c)(3) of SIPA, DCL sections 273, 274, 275, 276, 276-a, 277, 278 and/or 279, and sections 544, 547, 548(a), 550(a), and 551 of the Bankruptcy Code and constitutes a transfer of an interest of BLMIS in property within the meaning of section 101(54) of the Bankruptcy Code and under SIPA § 78fff-2(c)(3).

- 333. On information and belief, the Subsequent Transferee Defendants received Subsequent Transfers, which are recoverable under section 550(a) of the Bankruptcy Code.
- 334. The Subsequent Transferee Defendants were immediate or mediate transferees of some or all of the Kingate Global Transfers and Kingate Euro Transfers under section 550(a) of the Bankruptcy Code.
- 335. Each of the Subsequent Transfers was made directly or indirectly to, or for the benefit of, the Subsequent Transferee Defendants.
- 336. Each of the Subsequent Transfers was received by the Subsequent Transferee Defendants with actual intent to hinder, delay, or defraud creditors of BLMIS at the time of each of the Subsequent Transfers, and/or future creditors of BLMIS.
- 337. As a result of the foregoing and the avoidance of the within Transfers, pursuant to DCL sections 273 279, sections 544, 547(b), 548(a), 550(a), and 551 of the Bankruptcy Code and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against the Subsequent Transferee Defendants recovering the Subsequent Transfers, or the value thereof, from the Subsequent Transferee Defendants for the benefit of the estate of BLMIS and recovering attorneys' fees from the Subsequent Transferee Defendants.

COUNT TEN DISALLOWANCE OF CUSTOMER CLAIMS

(Against Kingate Global and Kingate Euro)

338. The Trustee incorporates by reference the allegations contained in the previous

paragraphs of this Complaint as if fully rewritten herein.

- 339. Kingate Global and Kingate Euro filed Customer Claims, which have not yet been determined.
- 340. Such Customer Claims should not be allowed pursuant to section 502(d) of the Bankruptcy Code, as Kingate Global and Kingate Euro, who filed the Customer Claims are the recipient(s) of transfers of BLMIS's property which are avoidable and recoverable under sections 544, 547, 548 and/or 550(a) of the Bankruptcy Code, DCL sections 273, 274, 275 and 276 and section 78fff-2(c)(3) as set forth above, and Kingate Global and Kingate Euro have not returned the transfers to the Trustee.
- 341. The Claims Procedures Order includes a process for determination and allowance of claims under which the Trustee has been operating. As a result of the foregoing, the Trustee intends to resolve the Customer Claims of Kingate Global and Kingate Euro, the Claims Objections, and any related objections through the mechanisms contemplated by the Claims Procedures Order.

COUNT ELEVEN EQUITABLE SUBORDINATION OF CUSTOMER CLAIMS

(Against Kingate Global and Kingate Euro)

- 342. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 343. Kingate Global and Kingate Euro, engaged in inequitable conduct, including behavior described in this Complaint, that has resulted in injury to the customers and creditors of the estate and has conferred an unfair advantage on Kingate Global and Kingate Euro.
- 344. Based on the inequitable conduct of Kingate Global and Kingate Euro, the customers of BLMIS have been misled as to the true financial condition of the debtor, customers

have been induced to invest without knowledge of the actual facts regarding BLMIS's financial condition, and/or customers and creditors are less likely to recover the full amounts due to them because of the conduct of Kingate Global and Kingate Euro.

- 345. The Court should exercise the full extent of its equitable powers to ensure that claims, payments, or benefits, of whatever kind or nature, which are asserted or sought by Kingate Global and Kingate Euro directly or indirectly against the estate and only to the extent such claims are allowed are subordinated for distribution purposes pursuant to sections 510(c)(1) and 105(a) of the Bankruptcy Code.
- 346. Equitable subordination as requested herein is consistent with the provisions and purposes of the Bankruptcy Code.

COUNT TWELVE UNJUST ENRICHMENT

(Against Ceretti, Grosso, the Management Defendants, the Ceretti and Grosso Shell Company Defendants, and Citi Hedge)

- 347. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 348. Ceretti, Grosso, the Management Defendants, the Ceretti and Grosso Shell
 Company Defendants, and Citi Hedge have been unjustly enriched by profiting from Madoff's
 Ponzi scheme. They have wrongfully and unconscionably benefited from the receipt of
 Customer Property from BLMIS, for which they did not, in good faith, provide fair value.
- 349. These proceeds took the form of, among other things, retrocession fees, management fees, consulting fees, advisery fees, incentive fees, and interest payments. None of this money has been returned to the Trustee for distribution in the liquidation of the BLMIS estate.
 - 350. Accordingly, equity and good conscience require full restitution of all proceeds of

the illegal scheme, all of which should rightfully be returned to the Trustee for distribution in the liquidation of the BLMIS estate.

CONVERSION

(Against Ceretti, Grosso, the Management Defendants, the Ceretti and Grosso Shell Company Defendants, and Citi Hedge)

- 351. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 352. BLMIS customers have the possessory right to and interest in the billions of dollars they personally invested with BLMIS.
- 353. Ceretti, Grosso, the Management Defendants, the Ceretti and Grosso Shell Company Defendants, and Citi Hedge have intentionally exercised dominion and control over Customer Property in a manner inconsistent with and in willful disregard of the solvency of the BLMIS estate. These Defendants are therefore liable for having wrongfully converted these monies and are now obligated to return all such monies to the Trustee for distribution in the liquidation of the BLMIS estate.

COUNT FOURTEEN MONEY HAD AND RECEIVED

(Against All Defendants)

- 354. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 355. The Defendants are currently in possession of, or have control over, Customer Property. These monies belong to the customer fund under the Trustee's control. The Defendants have no lawful or equitable right to these monies, having obtained the monies through fraud, deceit, or mistake.

356. In equity and good conscience, the Defendants may not retain possession or control of these monies, which rightfully belong to the customer fund under the Trustee's control. The Defendants are obligated to return all such monies to the Trustee for distribution in the liquidation of the BLMIS estate.

COUNT FIFTEEN DECLARATORY JUDGMENT PURSUANT TO 28 U.S.C. § 2201

(Against Bank Bermuda)

- 357. The Trustee incorporates by reference the allegations contained in the previous paragraphs of this Complaint as if fully rewritten herein.
- 358. Bank Bermuda is currently in possession of, or has control over, Customer Property.
- 359. The specific monies currently remaining in the Bank Bermuda Accounts constitute improper transfers to those accounts by BLMIS. These monies belong to the customer fund under the Trustee's control. The Trustee is entitled to a judgment pursuant to 28 U.S.C. § 2201 declaring that Bank Bermuda is obligated to return all remaining monies to the Trustee for distribution in the liquidation of the BLMIS estate.

WHEREFORE, the Trustee respectfully requests that this Court enter judgment in favor of the Trustee and against Defendants as follows:

i. On the First Count, under sections 547(b), 550(a), and 551 of the Bankruptcy

Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment: (i) avoiding and

preserving the Kingate Global Preference Period Transfers and the Kingate Euro Preference

Period Transfers; (ii) directing that the Kingate Global Preference Period Transfers and Kingate

Euro Preference Period Transfers be set aside; and (iii) recovering the Kingate Global Preference

Period Transfers and the Kingate Euro Preference Period Transfers, or the value thereof, from

Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;

- ii. On the Second Count, under sections 548(a)(1)(A), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment: (i) avoiding and preserving the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; (ii) directing that the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers be set aside; and (iii) recovering the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;
- iii. On the Third Count, under sections 548(a)(1)(B), 550(a), and 551 of the Bankruptcy Code, the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; (ii) directing that the Kingate Global Two-Year Transfers and the Kingate Euro Two-Year Transfers; and (iii) recovering the Two-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;
- iv. On the Fourth Count, under DCL sections 276, 276-a, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS; and (iv) recovering attorneys' fees from Kingate Global and Kingate Euro;
- v. On the Fifth Count, under DCL sections 273, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a

judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;

- vi. On the Sixth Count, under DCL sections 274, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;
- vii. On the Seventh Count, under DCL sections 275, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers; (ii) directing that the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers be set aside; and (iii) recovering the Kingate Global Six-Year Transfers and Kingate Euro Six-Year Transfers, or the value thereof, from the Kingate Global and Kingate Euro for the benefit of the estate of BLMIS;
- viii. On the Eighth Count, under NY CPLR 203(g), 213(8), DCL sections 276, 276-a, 278 and/or 279, sections 544(b), 550(a), and 551 of the Bankruptcy Code, and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment against Kingate Global and Kingate Euro: (i) avoiding and preserving the Kingate Global Transfers and the Kingate Euro Transfers; (ii) directing that the Kingate Global Transfers and the Kingate Euro Transfers be set aside; (iii)

recovering the Kingate Global Transfers and the Kingate Euro Transfers, or the value thereof, from Kingate Global and Kingate Euro for the benefit of the estate of BLMIS; and (iv) recovering attorneys' fees from Kingate Global and Kingate Euro;

- ix. On the Ninth Count, under DCL sections 273 279, 544, 547(b), 548(a), 550(a), and 551 of the Bankruptcy Code and SIPA § 78fff-2(c)(3), the Trustee is entitled to a judgment recovering the Subsequent Transfers, or the value thereof, from the Subsequent Transferee Defendants for the benefit of the estate of BLMIS and recovery attorneys' fees from the Subsequent Transferee Defendants;
- x. On the Tenth Count, that the Customer Claims shall be disallowed pursuant to section 502(d) of the Bankruptcy Code;
- xi. On the Eleventh Count, that the Customer Claims, to the extent allowed, shall be subordinated for distribution purposes pursuant to sections 510(c)(1) and 105(a) of the Bankruptcy Code.
- xii. On the Twelfth Count, that defendants to this count be found liable for unlawfully converting the investors' assets and be held liable for the restitution of such assets;
- xiii. On the Thirteenth Count, that defendants to this count return and all monies received as a result from any and all of their business associated with the Kingate Funds;
- xiv. On the Fourteenth Count, such compensatory, consequential, general, and punitive damages in an amount to be determined at trial;
- xv. On the Fifteenth Count, a declaratory judgment pursuant to 28 U.S.C. § 2201 that Bank Bermuda shall return all monies remaining in the Bank Bermuda Accounts to the Trustee for the benefit of the customer fund.
- xvi. On all Counts, under federal common law and N.Y. CPLR 5001, 5004, awarding the Trustee prejudgment interest from the date on which the Initial or Subsequent Transfers were

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received by Defendants;

On all Counts, establishment of a constructive trust over the proceeds of the Initial xvii.

and Subsequent Transfers in favor of the Trustee for the benefit of BLMIS's estate:

xviii. On all Counts, assignment of Defendants' right to seek refunds from the

government for federal, state, and local taxes paid on fictitious profits during the course of the

scheme;

Awarding the Trustee all applicable interest, costs, and disbursements of this xix.

action; and

Granting Plaintiff such other, further, and different relief as the Court deems just, XX.

proper, and equitable.

Dated: May 20, 2011

/s/ David J. Sheehan

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and Bernard L. Madoff

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BLMIS Account Name	BLMIS Account Number
KINGATE GLOBAL FUND LTD C/O BANK OF BERMUDA LTD A/C/F KINGATE GLOBAL FUND	1FN061
KINGATE EURO FUND LTD	1FN086

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Column 12 Full History Cash Withdrawals	(54) (64) (64) (64) (64) (63) (63) (63) (63) (63) (63) (63) (63	86 9f 129 88 88 88 86 85 85 85 85 85 85 85 85 85 85 85 85 85	(464) (55) (189) (173) (173) (155) (220) (227)
Column 11 6-Year Cash Withdrawals			
Column 10 2-Year Cash Withdrawals			
Column 9 90-Day Preferential Transfers			
Column 8 Balance of Principal	1,370,000 1,555,000 1,555,006 1,554,922 1,554,924 1,554,894 1,554,885 1,554,885 1,554,885 1,554,375 1,554,161 1,554,010 1,553,010 1,553,	1,553,79 1,553,689 1,553,689 1,553,689 1,663,587 1,663,587 1,663,330 1,663,403 1,663,403 1,663,403 1,663,403 1,663,403 1,662,888 1,662,888 1,662,888 1,662,888 1,662,888 1,662,888 1,662,888 1,662,888 1,662,644 3,292,644 3,292,644 3,292,443 3,292,119 3,292,119 3,292,119 3,292,103 3,292,119 3,292,103 3,292,1	4,086,074 4,086,019 4,085,638 4,085,658 4,085,574 4,085,419 4,085,099 4,084,873
Column 7 Transfers of Principal Out			
Column 6 Transfers of Principal In			
Column 5 Cash Withdrawals	(54) (24) (24) (24) (24) (24) (25) (103) (87) (87) (87) (102) (79) (79) (79) (79) (79) (79) (79) (79	(89) (89) (89) (89) (80) (117) (117) (117) (121) (121) (121) (121) (121) (121) (122) (123) (123) (124) (125) (126) (127) (127) (128) (129) (129) (121) (121) (121) (121) (122) (123) (123) (123) (123) (124) (125) (126) (127) (128) (129)	(464) (55) (189) (173) (84) (155) (155) (227)
Column 4 <u>Cash</u> <u>Deposits</u>	1,370,000	1,630,000	
Column 3 Transaction Amount Reported in Customer Statement	(34) (24) (24) (24) (24) (24) (24) (24) (2	(120) (69) (69) (100) (100) (63) (63) (63) (63) (117) (117) (117) (117) (121) (121) (121) (120)	(464) (55) (189) (173) (173) (84) (155) (320) (227)
Column 2 <u>Transaction</u> <u>Description</u>	CHECK WIRE CHECK WIRE WH TAX DIV CCI WH TAX DIV COL WH TAX DIV COL WH TAX DIV BA WH TAX DIV AR WH TAX DIV BA WH TA	WH TAX DIV MRK WH TAX DIV MRK WH TAX DIV WRE CHECK WIREE WH TAX DIV WIRE WH TAX DIV WIRE WH TAX DIV BOW WH TAX DIV BOW WH TAX DIV BEL WH TAX DIV BOW WH TAX DIV BEL WH TAX DIV BOW WH TAX DIV BEL WH TAX DIV BOW WH TAX DIV BOW WH TAX DIV BOW WH TAX DIV DIV WH TAX DIV AND WH TAX DIV AND WH TAX DIV AND WH TAX DIV BOW WH TAX DIV WRO WH TAX	WH TAX DIV GE W/H TAX DIV DOW WH TAX DIV BEL W/H TAX DIV AIT WH TAX DIV AIT WH TAX DIV NIV WH TAX DIV TAX WH TAX DIV TAX DIV TAX DIV TAX WH TAX DIV TAX
Column 1 <u>Date</u>	222222222222222222222222222222222222222		7/25/1996 7/30/1996 8/1/1996 8/1/1996 8/1/1996 8/1/1996 8/1/1996

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Column 12 Full History Cash Withdrawals	(1,228) (2,288) (3,69) (3,19) (4,40) (4,40) (4,40) (1,40) (1,90) (1,90) (2,10) (2,10) (2,10) (3,10) (3,10) (4,20)	(88) (86) (192) (192) (16) (16) (15) (17) (17)	02/18/14 Fg 88 of 12	(1054) (1164) (1164) (1164) (1164) (1264) (1266) (106)	(137) (1.051) (1.051) (1.051) (1.657) (1.657) (1.657) (1.657) (1.678) (1.678) (1.788)
Column 11 6-Year Cash Withdrawals					
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	8,519,435 8,519,207 8,519,203 8,518,203 8,518,515 8,518,199 8,517,792 11,717,565 11,717,565 11,717,565 11,717,665 11,717,665 11,016,985 13,016,985 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197 13,016,197	13,013,969 13,013,403 13,013,210 13,013,176 13,013,176 13,012,476 13,011,351 13,011,351	13,011,226 15,011,226 15,011,226 15,000,318 15,009,060 15,009,060 17,309,052 17,309,052	17,306,338 17,306,338 17,306,338 17,306,338 17,306,232 17,302,531 20,302,531 20,302,531 20,302,531 20,302,531 20,302,54 20,301,546 20,301,546 20,301,335 20,301,48 20,297,440 20,297,440 22,097,183 22,097,183 22,097,183 22,097,183 22,097,183 22,097,183 22,097,183 22,097,183 22,097,183	22,095,515 22,095,515 22,095,587 22,092,229 22,080,572 22,087,04 22,087,940 22,887,922 22,887,922 22,887,678 27,887,678
Column 7 Transfers of Principal Out					
Column 6 Transfers of Principal In	3,200,000				
Column 5 Cash Withdrawals	(1,255) (228) (48) (319) (319) (319) (319) (40) (40) (40) (10) (10) (318) (318) (327) (327) (328)	(589) (689) (192) (192) (161) (161) (539) (1,125)	(94) (94) (906) (758) (758) (8) (8) (334)	(10) (1,887) (1,887) (1,241) (1,241) (708) (708) (10) (10) (206) (606) (163) ((762) (762) (18) (2,318) (1,051) (1,657) (888) (1,470) (294) (294) (294) (294) (294)
Column 4 Cash Denosits	1,300,000		2,000,000	3,000,000	000'000'5
Column 3 <u>Transaction Amount</u> <u>Reported in</u> Customer Statement	(1,255) (228) (4) (369) (319) (319) (319) (327) (440) (1,40) (1,10) (1,10) (33) (346) (536)	(689) (566) (192) (192) (161) (161) (153) (1125)	(94) 2,000,000 (502) (502) (906) (758) (8) 2,300,000 (34) (363)	(363) (1987) (1987) (1341) (1708) (708) (701) (708) (709) (7	(762) (762) (18) (2,318) (1,657) (1,657) (1,470) (294) 800,000 (17) (27) (294) 800,000 (17) (244) 800,000 (17) (137)
Column 2 Transaction Description	WH TAX DIV XON WH TAX DIV IBM FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV DIV JU WH TAX DIV DIV JU WH TAX DIV BAC WH TAX DIV BAD WH TAX DIV BAP WH TAX DIV BP WH TAX DIV BP WH TAX DIV BP WH TAX DIV BP WH TAX DIV SE	WHITAX DIV BEL WHITAX DIV BEL WHITAX DIV SAP FIDELITY SPARTAN USTREASURY MONEY MARKET WHITAX DIV DIV WHITAX DIV DIV WHITAX DIV CCI WHITAX DIV CCI WHITAX DIV CCI WHITAX DIV CCI	WH TAX DIV INTC WH TAX DIV INTC CHECK WIRE WH TAX DIV IBM WH TAX DIV BM WH TAX DIV NO WH TAX DIV NO CHECK WIRE CHECK WIRE WH TAX DIV ANY WH TAX DIV ANY WH TAX DIV ANY	WH TAX DIV WAN WH TAX DIV BAY WH TAX DIV WHY	WH TAX DIV CHANT TAX DIV CHANT TAX DIV CHANT TAX DIV GE WH TAX DIV GE WH TAX DIV GE WH TAX DIV BEL WH TAX DIV AT WH TAX DIV AXP CHECK WIRE CHECK WIRE WH TAX DIV DIS CHECK WIRE WH TAX DIV DIS CHECK WIRE WH TAX DIV DIS CHECK WIRE
Column 1 Date					

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Column 12 Full History	Cash Withdrawals	(4,437)	(1,621)	(3,971)	(18,900)	(2,619)	(4,567)	(378)	(1,661)	(5,430)	(3,510)	(4,000,000)	(8,000,000)	(2,032)	(6)	(15)	(GI)	(10,000,000)	(1,922)	(524)	'	•		(4) 238	(077,4)	(1.234)	2,741		(23 Q	(10,000,000)	1 2	(2.73%	(11)	(384)	(10,000,000)	(7.053)	(4,061)	(782)	(1,529)	(2,680)	(9,787)	(10,000,000)	(2,827)	- 3	(1 810)	(1,795)	(12)	(15,259)	(2,574)	(9,450)	(5 475)	(1,202)	(1,034)	(173)		(24)	(1,426)	(903)	(5,967)	(523)	(15)	
Column 11 6-Year	Cash Withdrawals		•											٠																														•																		
Column 10 2-Year	Cash Withdrawals																																																													
Column 9 90-Dav	Preferential Transfers	٠																																																												
Column 8	Balance of Principal	175,050,660	175,049,040	175,040,208	175,021,308	175,018,689	175,014,116	175,013,738	175,012,077	175,006,647	175,003,136	171,003,136	163,003,136	162,997,304	162,997,494	162,936,731	167 996 721	157,996,721	157,994,799	157,994,275	167,994,275	175,994,275	184,994,275	184,992,566	184,900,330	184.969.162	184,966,421	176,966,421	176,966,392	166,966,392	166 965 441	166,962,694	166,962,682	166,962,299	156,962,299	156.953.872	156,949,811	156,949,029	156,947,500	156,944,820	156,935,035	146,935,025	146,932,199	148,932,199	148,932,197	148,928,592	148,928,580	148,913,321	148,910,747	148,901,297	148,669,439	148,882,782	148,881,748	148,881,575	175 881 575	175.881.551	175,880,125	175,879,222	175,873,255	175,872,732	175,868,744	
Column 7	Transfers of Principal Out	٠																										(8,000,000)																																		
Column 6	Transfers of Principal In	٠																																																												
Column 5	Cash Withdrawals	(4,437)	(1,621)	(3,971)	(18,900)	(2,619)	(4,567)	(378)	(1,661)	(5,430)	(3,510)	(4,000,000)	(8,000,000)	(2,032)	(6)	(15)	(CI)	(10,000,000)	(1,922)	(524)				(1,709)	(4,226)	(1.234)	(2,741)		(29)	(10,000,000)	(931)	(2,739)	(11)	(384)	(10,000,000)	(7.053)	(4,061)	(782)	(1,529)	(2,680)	(9,767)	(10,000,000)	(2,827)	1 6	(7)	(1,795)	(12)	(15,259)	(2,574)	(9,450)	(5 475)	(1,202)	(1,034)	(173)		(24)	(1,426)	(903)	(5,967)	(523)	(5,988)	
Column 4	Cash Deposits																\$ 000 000	-			10,000,000	8,000,000	6,000,000																					2,000,000										, 000 000 11	10,000,000	10,000,000						
Column 3 Transaction Amount	Reported in Customer Statement	(4,437)	(1,621)	(3,971)	(18,900)	(2,619)	(4,567)	(378)	(1,661)	(5,430)	(3,510)	(4,000,000)	(8,000,000)	(2,632)	(6)	(15)	\$ 000 000	(10,000,000)	(1,922)	(524)	10,000,000	8,000,000	9,000,000	(1,709)	(17 941)	(1.234)	(2,741)	(8,000,000)	(56)	(10,000,000)	(931)	(2,739)	(11)	(384)	(10,000,000)	(7,053)	(4,061)	(782)	(1,529)	(2,680)	(9,787)	(10,000,000)	(2,827)	2,000,000	(1810)	(1,795)	(12)	(15,259)	(2,574)	(9,450)	(11,637)	(1,202)	(1,034)	(173)	10,000,000	10,000,000	(1,426)	(903)	(5,967)	(523)	(3,988)	
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV WFC	W/H TAX DIV BA	W/H TAX DIV GM	W/H TAX DIV XOM	W/H TAX DIV IBM FIDELITY SPARTAN TIS TREASHRY MONEY MARKET	W/H TAX DIV DD	W/H TAX DIV HD	W/H TAX DIV PEP	W/H TAX DIV KO	W/H TAX DIV WMT	CHECK WIRE	CHECK WIKE	W/H I AA DIV GE FIRET TEV SDAPTAN II STEPA STIPN MONEY MARKET	WHITAY DIV MWD	FIDELITY SPARTAN 11S TREASTIRY MONEY MARKET	CHECK WIRE	CHECK WIRE	W/H TAX DIV WFC	W/H TAX DIV INTC	CHECK WIRE	CHECK WIRE	CHECK WIRE	W/H IAX DIV GM	WHIAX DIV DD	W/H TAX DIV IBM	W/H TAX DIV JNJ	TRANS TO 1FN06130 (1FN061)	FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIRE	W/H LAX DIV WMI FIDELITY SPARTAN 11S TREASLIRY MONEY MARKET	W/H TAX DIV PG	FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV TXN	CHECK WIRE	W/H TAX DIV C	W/H TAX DIV WFC	W/H TAX DIV LU	W/H TAX DIV INTC	W/H TAX DIV IBM	W/H LAX DIV AUM FIDELITY SPARTAN 11S TREASLIRY MONEY MARKET	CHECK WIRE	W/H TAX DIV KO	CHECK WIRE	W/H TAX DIV AV	W/H TAX DIV HWP	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV GE	W/H TAX DIV MWD	W/H IAA DIV I W/H TAY DIV VZ	W/H TAX DIV WZ	W/H TAX DIV AXP	W/H TAX DIV JNJ	FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIRE	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MWD	W/H TAX DIV PHA	W/H TAX DIV VZ	W/H TAX DIV TXN	W/H TAX DIV PG FIDELITY SPARTAN US TREASURY MONEY MARKET	
Column 1	Date		3/3/2000 V	0		3/10/2000 V			3/31/2000 V				4/26/2000 C				5/15/2000						6/9/2000 C							6/22/2000 C				8/21/2000 V				П			9/11/2000 V			10/4/2000 C					0	V 00071/11		0			17/26/2000					2/12/2001 V		

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Column 12 Full History Cash Withdrawals	(551) (551) (1,938) (5,601) (10,036) (2,0912) (3,304) (2,674)	(77) (272) (272) (623) (2,236) (1,870) (1,870) (1,870) (1,90) (1,90)	(1,210) (2,22) (1,210) (1,210) (1,210) (1,210) (2,23) (3,23) (3,23) (1,23) (3,23) (1,2	(8.34 4) (16,535 4 (2,835 4 (2,835 4 (3,603) (1,720) (1,720) (1,845)	(1.873) (665) (666) (160) (14,301) (4,946) (7,913) (6,945) (4,946) (4,946) (4,946) (4,946) (4,943) (4,943) (4,943) (4,943) (4,943) (4,943)
Column 11 6-Year Cash Withdrawals					
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	175,858,958 175,858,406 175,856,469 175,850,867 175,819,220 175,816,615 175,816,615	175.813.865 175.812.068 175.810.732 175.803.421 175.803.421 175.803.985 175.803.987 175.803.987 175.793.707 175.793.707	15,772,13 175,771,337 175,770,727 175,762,394 175,762,379 175,761,724 175,757,245 175,757,245 175,757,245 175,757,245 175,757,245 175,757,245 175,757,245 175,757,245	175,712,259 175,695,707 175,692,872 175,691,152 185,687,349 185,687,349 185,683,893 185,683,893 185,683,893 185,683,893 185,683,893 185,683,894 185,683,994 185,683,994 185,683,994 185,688,998 185,688,998 185,588,990 185,588,990 185,588,990 185,588,990 185,588,990 185,588,990	195,556,01 195,554,817 195,546,285 195,545,608 195,536,602 195,536,602 195,526,335 195,503,339 195,503,339 195,503,339 195,504,339 195,409,045
Column 7 <u>Transfers of Principal Out</u>					
Column 6 Transfers of Principal In					
Column 5 Cash Withdrawals	(9,772) (551) (1,938) (5,601) (10,036) (20,912) (3,304) (2,674)	(77) (72) (623) (623) (1.870) (1.870) (1.870) (1.870) (1.870) (1.870) (7.341) (7.341) (1.290) (1.290)	(1.510) (2.56) (3.212) (12.10) (3.013) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (7.54) (10.864) (10.864)	(8.346) (16.552) (2.835) (1.720) (1.720) (1.547) (1.547) (1.547) (1.548) (1.54	(1.874) (6.533) (666) (16) (14.301) (4.301) (4.301) (7.913) (8.84) (4.322) (2.8.313) (6.552)
Column 4 Cash Deposits				10,000,000	000,000,0
Customer Statement	(9,772) (551) (1,938) (5,601) (10,036) (20,912) (3,304) (2,674)	(777) (772) (223) (2236) (1.311) (1.870) (1.870) (1.870) (1.870) (1.870) (1.870) (1.870) (1.970) (1.734)	(1.519) (2.56) (1.210) (5.212) (1.21) (5.41) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (6.54) (7.56) (1.08)	(8,346) (16,523) (2,835) (1,720) (3,603) (1,720) (3,603) (1,547) (4,546) (1,547) (4,546) (1,548) (1,54	10,000,000 10,000,000 (8,533) (666) (16) (14,301) (4,940) (4,944) (7,913) (8,084) (4,034) (7,913) (8,084) (4,032) (6,223) (6,223)
Column 2 <u>Transaction</u> <u>Description</u>	WH TAX DIV C W/H TAX DIV LU WH TAX DIV LU WH TAX DIV WEC W/H TAX DIV PEE W/H TAX DIV YOW W/H TAX DIV YOW W/H TAX DIV IV NOW	FIDELITY SPARTAN US TREASURY MONEY MARKET WHATAX DIV HD WHATAX DIV BP WHATAX DIV MRK WHATAX DIV WAF WHATAX DIV WAF WHATAX DIV WAF WHATAX DIV WAP WHATAX DIV BAP WHATAX DIV DIV BAP	WH TAX DIV TO WH TAX DIV TO WH TAX DIV AXP WH TAX DIV PG WH TAX DIV PG WH TAX DIV PG WH TAX DIV WM WH TAX DIV WM WH TAX DIV WW WH TAX DIV WWD FIDELITY SPARTAN USTREASURY MONEY MARKET WH TAX DIV WW WH TAX DIV WW WH TAX DIV GE WH TAX DIV TYC	WH TAX DIV BMY WH TAX DIV VZ WH TAX DIV YZ WH TAX DIV YZ WH TAX DIV AXP WH TAX DIV PG CHECK WIEB FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV BMC WH TAX DIV WMT WH TAX DIV WMT WH TAX DIV WMT WH TAX DIV WMD WH TAX DIV WMD WH TAX DIV BMC WH TAX DIV BMC WH TAX DIV JIPM	CHECK WILE WH TAX DIV AXP WH TAX DIV PG WH TAX DIV TXN WH TAX DIV TXN WH TAX DIV TXN WH TAX DIV C WH TAX DIV C WH TAX DIV WC WH TAX DIV WC WH TAX DIV PE WH TAX DIV PE WH TAX DIV PE WH TAX DIV DIV PE WH TAX DIV SE
Column 1 <u>Date</u>					

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Exhibit A

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08	-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash Withdrawals	(3.839) (13.801) (4.806) (23.507) (4.806) (44.420) (5.738) (5.738)	(3,809) (1,509) (1,621) (3,671) (3,671) (4,461) (9,280) (2,264) (1,644) (1,644) (1,644) (1,644) (1,644) (1,644)	(25.5) (2	(15.63) (13.275) (13.275) (13.275) (13.275) (13.275) (14.55) (14.55) (14.55) (15.05) ((4,338) (12,710) (8,015) (19) (4) (4) (4) (4) (1) (1) (1) (1) (1) (1) (1) (1) (1) (28,108)
Column 11 6-Year Cash Withdrawals			(2,652) (7,758) (7,758) (2,161) (4,022) (1,316) (2,781) (2,781) (4,096) (4,096) (2,747)	(3,667) (15,603) (13,273) (13,273) (13,922) (2,433) (2,433) (2,433) (2,433) (3,519) (3,519) (3,519) (3,519) (4,527) (4	(15.710) (12.710) (12.710) (10) (10) (11) (11) (11) (11) (11,739) (11,739) (11,739) (28,105)
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	215,028,867 215,015,066 215,010,260 214,986,753 214,982,716 214,933,491 214,933,491 214,933,486 214,937,410	214,910,681 214,910,660 214,990,025 214,990,355 214,990,374 214,888,313 214,888,415 214,888,415 229,888,142 229,888,142 229,888,142 229,888,142 229,888,142 229,888,142 229,888,142	229,871,625 229,863,887 229,861,706 229,856,508 229,856,508 229,828,537 229,828,438 229,828,438 229,828,430 229,82	259,871,463 259,877,796 259,877,796 259,788,918 259,788,314 259,783,369 259,763,446 259,743,442 259,743,170 259,741,019 259,741,019 259,741,1019 259	259,562,147 259,562,105 259,561,380 259,561,367 259,561,367 284,561,357 284,561,347 284,588,215 284,588,215 294,588,215
Column 7 <u>Transfers of</u> <u>Principal Out</u>					
Column 6 Transfers of Principal In					
Column 5 <u>Cash</u> Withdrawals	(3.839) (13.801) (4.806) (23.507) (4.037) (4.420) (4.420) (4.420) (5.538) (5.738)	(9.809) (9.809) (1.635) (1.635) (1.635) (1.644) (1.645) (2.264) (2.264) (9.220) (9.220)	(2,62) (7,788) (7,788) (2,161) (4,022) (1,316) (2,781) (2,781) (4,096) (4,096) (1,007)	(3,667) (13,733) (13,733) (13,733) (13,733) (2,333) (2,333) (2,333) (2,333) (3,513) (3,513) (3,513) (3,513) (4,527) (4,257) (4,257) (6,616) (6,616) (6,618)	(1,538) (12,710) (12,710) (19) (19) (19) (11) (2,130) (11,739) (11,739) (28,105)
Column 4 <u>Cash</u> <u>Deposits</u>		15,000,000	15,000,000	15,000,000	25,000,000
Column 3 Transaction Amount Reported in Customer Statement	(3.839) (13.801) (4.806) (23.507) (4.037) (4.420) (4.420) (5.538) (5.738)	(980) (1,635) (1,635) (1,635) (1,446) (1,461) (1,206) (1,204) (1,206) (1,644) (1,644) (1,644) (1,644) (1,644) (1,644) (1,644)	(2,62) (7,788) (7,788) (2,161) (4,022) (1,316) (2,781) (2,781) (4,096) (4,096) (4,096) (1,000)	(3.500,000,000,000,000,000,000,000,000,000	(9,236) (12,710) (12,710) (19) (19) (25,000,000 (11) (3,130) (1,130) (1,139) (1,159) (1,159) (1,159) (1,159)
Column 2 <u>Transaction</u> <u>Description</u>	TTC FE A UD TAN US TREASURY MONEY MARKET NA NA	WHI TAX DIV DD FIDELITY SPARTAN US TREASURY MONEY MARKET WHI TAX DIV CL WHI TAX DIV CL WHI TAX DIV CL WHI TAX DIV CL WHI TAX DIV GS WHI TAX DIV GS WHI TAX DIV BA WHI TAX DIV BA WHI TAX DIV BA WHI TAX DIV BA	WH TAX DIV INJ WH TAX DIV WEC WH TAX DIV DIV WH TAX DIV DIX WH TAX DIV UTX WH TAX DIV UTX WH TAX DIV G HDBLITTY SBARTAN US TREASURY MONEY MARKET WH TAX DIV G WH TAX DIV BM WH TAX DIV BM WH TAX DIV BM CHECK WIRE CHECK WIRE	WWD SZ SX NA NA SA SS	WH TAX DIV WD WH TAX DIV WAT FIDELITY SPARTAN US TREASURY MONEY MARKET CHECK WIRE WH TAX DIV MER FIDELITY SPARTAN US TREASURY MONEY MARKET CHECK WIRE WH TAX DIV NEC WH TAX DIV NTC WH TAX DIV PEE
<u>.</u>	WH TAX DIV INTC WH TAX DIV WEC WH TAX DIV BE WH TAX DIV BE WH TAX DIV BE WH TAX DIV BE WH TAX DIV BUD WH TAX DIV BUD TAX DIV				
Column 1 <u>Date</u>	9/3/2002 9/3/2002 9/5/2002 9/5/2002 9/9/2002 9/10/2002 9/10/2002	9/12/2002 9/12/2002 10/17/2002 11/15/2002 11/22/2002 11/22/2002 11/22/2002 11/22/2003 11/2/2003 11/6/2003	1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003 1/6/2003	128/2003 1/31/2003 2/3/2003 2/3/2003 2/3/2003 2/1/2003 2/1/2003 2/1/2003 2/2/2003 3/3/2003 3/3/2003 3/1/2003 3/1/200	3/14/2003 3/17/2003 4/17/2003 4/9/2003 5/9/2003 5/19/2003 5/19/2003 5/28/2003 6/2/2003 6/2/2003 6/5/2003

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Column 12	Full History Cash Withdrawals	(3,815)	(39,378)	(6,261)	(8,369)	(5,739)	(8)	(4,288)	(8.455)	(7,587)	(16,815)	(24,507)	(2,446)	(5,675)	(7,501)	(3)	(15,000,000)	(7,354)	(30,776)	(36,692)	(16,97 Œ	(1,059)	(4.263	DIEE(E)	(21,583)	12 (3,75)	(216	(4,763)	(5,276)	(8,100)	(1)	(6,360)	(1,607)	(14)	(6,276)	(1,883)	(7,887)	(12,451)	- (9193)	(32,290)	8)	- (4.970)	(21,494)	(6,663)	(52,893)	(17,793)	(1,141)	(14)	(4,659)	(55,122)	(4 062)	(15,296)	(35,506)
Column 11	6-Year Cash Withdrawals	(3,815)	(39,378)	(6,261)	(8,369)	(5,739)	(8)	(4,288)	(8.455)	(7,587)	(16,815)	(4.000)	(2,446)	(5,675)	(7,501)	(3)	(15,000,000)	(7,354)	(30,776)	(36,692)	(16,974)	(1,059)	(52,533)	(3,331)	(21,583)	(21,179)	(21)	(4,763)	(5,276)	(8,100)	(1)	(6,360)	(1,607)	(11,595)	(6,276)	(1,883)	(0,710)	(12,451)	- (3193)	(32,290)	(8)	(4,970)	(21,494)	(6,663)	(52,893)	(17,793)	(1,141)	(14)	(4,659)	(55,122)	(4 062)	(15,296)	(35,506)
Column 10	2- <u>Year</u> <u>Cash</u> Withdrawals																																																				
Column 9	90-Day Preferential Transfers	٠																															•																				
Column 8	Balance of Principal	294,512,862	294,456,167	294,450,529	294,439,225	294,433,486	294,429,726	294,425,438	294,387,676	294,380,089	294,363,274	294,338,767	294,332,321	294,326,646	294,278,482	294,278,479	279,278,479	279,271,124	279,240,348	279,203,656	279,182,846	279,181,787	279,129,234	279,121,659	279,100,076	279,075,099	279,075,078	279,070,315	279,062,511	279,054,411	279,054,411	278,999,583	278,997,976	278.986.367	278,980,090	278,978,207	278,963,610	278,951,159	288,951,159	288,913,253	288,913,245	298,913,245	298,886,781	298,880,118	298,808,401	298,790,608	298,789,466	298,786,038	298,781,379	298,726,258	298 698 842	298,683,545	298,648,040
Column 7	Transfers of Principal Out	٠																															•																				
Column 6	Transfers of Principal In																																											,									
Column 5	<u>Cash</u> Withdrawals	(3,815)	(39,378)	(6,261)	(8,369)	(5,739)	(8)	(4,288)	(8.455)	(7,587)	(16,815)	(24,507)	(2,446)	(5,675)	(7,501)	(3)	(15,000,000)	(7,354)	(30,776)	(36,692)	(16,974)	(1,059)	(52,533)	(3,331)	(21,583)	(21,179)	(21)	(4,763)	(5,276)	(8,100)	(1)	(6,360)	(1,607)	(14)	(6,276)	(1,883)	(0,7,10)	(12,451)	- (5 616)	(32,290)	(8)	(4,970)	(21,494)	(6,663)	(52,893)	(17,793)	(1,141)	(14)	(4,659)	(55,122)	(4 062)	(15,296)	(35,506)
Column 4	Cash Deposits																																						10,000,000		- 000000	10,000,000											
Column 3	Transaction Amount Reported in Customer Statement	(3,815)	(16,693)	(6,261)	(8,369)	(5,739)	(8)	(4,288)	(8.455)	(7,587)	(16,815)	(24,507)	(2,446)	(5,675)	(7,501)	(3)	(15,000,000)	(7,354)	(30,776)	(36,692)	(16,974)	(1,059)	(52,533)	(3,331)	(21,583)	(21,179)	(21)	(4,763)	(5,276)	(8,100)	(1)	(6,360)	(1,607)	(11,595)	(6,276)	(1,883)	(0,710)	(12,451)	10,000,000	(32,290)	(8)	10,000,000	(21,494)	(6,663)	(52,893)	(17,793)	(1,141)	(14)	(4,659)	(55,122)	(25,534)	(15,296)	(35,506)
Column 2	<u>Transaction</u> <u>Description</u>					1	FIDELITY SPARTAN USTREASURY MONEY MARKET									FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIRE FIDELITY SPAPTAN 11S TREASTIRY MONEY MARKET	N C S INEASON I MONET MANNET									FIDELITY SPARTAN US TREASURY MONEY MARKET				FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV XOM		THE CONTRACTOR AND A PARTY OF THE PARTY OF T	FIDELLIY SPAKTAN US TREASURY MONEY MARKET W/H TAX DIV BAC		3					FIDELITY SPARTAN US TREASURY MONEY MARKET				i-			WILLIAM DIV GS FIDELITY SPARTAN US TREASURY MONEY MARKET					
		W/H TAX DIV BUD	W/H TAX DIV XOM	W/H TAX DIV IBM W/H TAX DIV ITX	W/H TAX DIV DD	W/H TAX DIV MMM W/H TAX DIV AIG	FIDELITY SPARTAN	W/H TAX DIV HD	W/H TAX DIV PEP	W/H TAX DIV ONE	W/H TAX DIV KO	W/H TAX DIV MIKK	W/H TAX DIV SLB	W/H TAX DIV WMT	W/H TAX DIV HPQ	FIDELITY SPARTAN	CHECK WIRE	W/H TAX DIV MWD	W/H TAX DIV VZ	W/H TAX DIV CI.	W/H TAX DIV PG	W/H TAX DIV TXN	W/H TAX DIV C	W/H TAX DIV GS	W/H TAX DIV WFC	W/H TAX DIV PFE	FIDELITY SPARTAL	W/H TAX DIV G	W/H TAX DIV BUD	W/H TAX DIV IBM	FIDELITY SPARTAN W/H TAX DIV XOM	W/H TAX DIV DD	W/H TAX DIV AIG	W/H TAX DIV BAC	W/H TAX DIV PEP	W/H TAX DIV VIA.B	W/H TAX DIV ONE	W/H TAX DIV KO	CHECK WIRE W/H TAX DIV HPO	W/H TAX DIV MO		W/H TAX DIV MWD					W/H TAX DIV TXN			W/H TAX DIV C	W/H TAX DIV INTC	W/H TAX DIV MCD	
Column 1	<u>Date</u>	6/9/2003	6/10/2003	6/10/2003	6/12/2003	6/12/2003	6/25/2003	6/26/2003	6/30/2003	7/1/2003	7/1/2003	7/1/2003	7/3/2003	7/7/2003	7/9/2003	7/10/2003	7/17/2003	7/31/2003	8/1/2003	8/11/2003	8/15/2003	8/18/2003	8/27/2003	8/28/2003	9/2/2003	9/4/2003	9/5/2003	9/5/2003	9/9/2003	9/10/2003	9/10/2003	9/12/2003	9/19/2003	9/26/2003	9/30/2003	10/1/2003	10/1/2003	10/1/2003	10/8/2003	10/9/2003	10/14/2003	10/31/2003	11/3/2003	11/3/2003	11/7/2003	11/14/2003	11/17/2003	11/25/2003	11/26/2003	11/26/2003	12/1/2003	12/1/2003	12/4/2003

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Column 12	Full History Cash Withdrawals	(4,883)	(5,408)	(4,780)	(8,304)	(4,310)	(10,516)	(0)	(1,810)	(2,606)	(2,914)	(1)	(9,436)	(3,085)	(11,891)	(12,274)	(3,408)	(4,798)	(63,252)	(23,31 ©	(4,171)	7(8.873)	Q 86£(5)	(21,797)	12 00(£)	Q (150,651 6	(5,565)	(46)	(0)	(0)	(5,051)	(24,911)	(25,319)	(1,073)	(4,625)	(59,283)	(22,469)	(37,423)	(4,698)	(11,034)	(24,541)	(5,203)	(8,988)	(3,753)	(3,217)	(10,118)	(5,790)	(5,813)	(11,955)	(7,441)
Column 11	6-Year Cash Withdrawals	(4,883)	(5,408)	(4,780)	(8,304)	(4,310)	(10,516)	(0)	(1,810)	(2,606)	(2,914)	(E)	(9,436)	(3,085)	(11,891)	(12,274)	(3,408)	(4,798)	(63,252)	(23,311)	(4,171)	(39,541)	(5,398)	(21,797)	(3,006)	(50,651)	(5,565)	(46)	(0)	(0)	(5,051)	(24,911)	(25,319)	(1,073)	(4,625)	(59,283)	(22,469)	(37,423)	(4,698)	(11,034)	(24,541)	(5,203)	(8,988)	(3,753)	(3.217)	(10,118)	(5,790)	(5,813)	(11,955)	(7,441)
Column 10	2-Year Cash Withdrawals	•				•		•							•			•		ľ	•		·	•		ľ		•			•				•		•		•		•		•			•	•	•		
Column 9	90-Dav <u>Preferential</u> <u>Transfers</u>					•						•	'		•			•		ľ	•		ľ	•		•		•	•		•				•		•		•		•		•			•		•		
Column 8	Balance of Principal	298,643,157	313,637,749	313,611,335	313,560,586	313,547,972	313,537,453	313,537,453	313,535,643	313,531,203	313,528,289	313,526,647	313,517,211	313,514,126	313,502,235	313,489,961	313,467,946	313,463,147	313,399,895	313,368,657	313,364,485	313,324,945	313,314,673	313,292,876	313,281,582	313,230,931	313,225,366	313,214,824	313,214,824	293,214,823	293,209,773	293,178,285	293,152,967	293,133,498	293,128,873	293,065,670	293,043,200	293,033,713	292,993,594	292,982,560	292,958,000	302 952,796	302,932,730	302,940,056	302,885,751	302,875,633	302,869,843	302,864,028	302,852,073	302,826,166
Column 7	Transfers of Principal Out					•														ľ	•		ľ	•				•							•		•		•		,		•			•		'		
Column 6	Transfers of Principal In	•			' '	•		٠				•	•		•			٠		ľ	•		ľ	•		•		•			•				•		•		•		٠		•			•		•		
Column 5	Cash Withdrawals	(4,883)	(5,408)	(4,780)	(8,304)	(4,310)	(10,516)	(0)	(1,810)	(2,606)	(2,914)	(I) (I)	(9,436)	(3,085)	(11,891)	(12,274)	(3,408)	(4,798)	(63,252)	(23,311)	(4,171)	(39,541)	(5,398)	(21,797)	(8,288)	(50,651)	(5,565)	(46)	(0)	(0)	(5,051)	(24,911)	(25,319)	(1,073)	(4,625)	(59,918)	(22,469)	(37,423)	(4,698)	(11,034)	(24,541)	(5,203)	(8,988)	(3,753)	(3,217)	(10,118)	(5,790)	(5,813)	(11,955)	(7,441)
Column 4	Cash Deposits	000 000 31	- 12,000,000			•				٠			•		٠					ľ	•		·	•				•					•		•		•		•			10 000 000	10,000,000			•		•		
Column 3	Transaction Amount Reported in Customer Statement	(4,883)	(5,408)	(4,780)	(8,304)	(4,310)	(10,516)	(0)	(1,810)	(2,606)	(2,914)	(I)	(9,436)	(3,085)	(11,891)	(12,274)	(3,408)	(4,798)	(63,252)	(23,311)	(4,171)	(4.873)	(865,5)	(21,797)	(3,006)	(50,651)	(5,565)	(46)	(0)	(0)	(5,051)	(24,911)	(25,319)	(1,073)	(4,625)	(5,285)	(22,469)	(37,423)	(4,698)	(11,034)	(24,541)	(5,203)	(8,988)	(3,753)	(3,217)	(10,118)	(5,790)	(5,813)	(11,935)	(7,441)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV G	CHECK WILE WH TAX DIV BUD	WHITAX DIV UTX	W/H TAX DIV XOM W/H TAX DIV IBM	W/H TAX DIV MMM	W/H IAA DIV DD FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV ONE W/H TAX DIV PEP	W/H TAX DIV WMT	W/H TAX DIV DIS	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MO	W/H TAX DIV MWD	W/H TAX DIV SBC	W/H TAX DIV VZ W/H TAX DIV BG	W/H TAX DIV GS	W/H TAX DIV MER	W/H TAX DIV C	W/H TAX DIV WFC	W/H TAX DIV BA	W/H TAX DIV PFE W/H TAX DIV G	W/H TAX DIV BUD	W/H TAX DIV JNJ	W/H IAX DIV IBM W/H TAX DIV UTX	W/H TAX DIV XOM	W/H TAX DIV MMM	FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WINE FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV JPM	W/H TAX DIV SBC	W/H TAX DIV VZ	WH TAX DIV TXN	W/H TAX DIV MER	W/H TAX DIV GS W/H TAX DIV C	W/H TAX DIV WFC	W/H TAX DIV PFE	W/H TAX DIV G	W/H TAX DIV WMT FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV JNJ	W/H TAX DIV BUD CHECK WIRE	WH TAX DIV IBM	W/H TAX DIV UTX	W/H TAX DIV XOM W/H TAX DIV BA	WH TAX DIV DD	W/H TAX DIV MMM FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV HD	W/H TAX DIV PEP W/H TAX DIV KO	WH TAX DIV HPQ
Column 1	<u>Date</u>		12/9/2003		12/10/2003 V 12/10/2003 V		12/16/2003 F	03	1/2/2004				1/9/2004 V		2/2004	2/2/2004		2/27/2004 V				3/5/2004	П		3/10/2004 V	ш	3/12/2004		4/8/2004 F		4/30/2004 V			5/17/2004		28/2004		6/4/2004		6/7/2004 F	П	6/9/2004 V			6/11/2004		6/14/2004 V 6/18/2004 F	Ш	6/30/2004	

08	-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash Withdrawals	(42,135) (6,830) (91) (91) (13,559) (4,563) (7,040) (7,040) (6,343) (6,343)	(61,609) (13,006) (20,090) (3,491) (3,491) (38,275) (48,086) (49,72) (69) (69)	(1,5,6,7) (1,6,8,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8) (1,6,8,8,8) (1,6,8,8)	(4,97)(6.63) (1.59) (6.63) (6.430) (5.987) (7.580) (7.582) (7.380) (7.380) (10.822) (64,210) (64,210) (12,661) (12,661) (12,661) (12,661) (12,662) (12,663) (12,663) (12,663) (12,663)	(67,071) (14,637) (30,547) (4,455) (19,751) (4,414) (43,866) (83,662) (10,000,000) (15,000,000) (15,000,000)
Column 11 6-Year Cash Withdrawals	(42.135) (6.830) (91) (91) (13.559) (4.563) (7.040) (2.225) (6.325) (6.425)	(61,609) (13,006) (20,009) (3,491) (28,275) (8,096) (49,72) (69) (69)	(2.642) (4.349) (13.691) (4.3506) (3.506) (8.844) (8.353) (48.138) (4.5138) (9.403)	(7) (4,976) (1,591) (16,591) (8,389) (3,0547) (18,690) (18,690) (19,820) (23,827) (23,827) (10,882) (4,210) (8,4210) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896) (12,896)	(67.071) (14.637) (30.547) (4.455) (14.514) (4.414) (4.31.866) (3.50.502) (2.1) (10.000.000) (15.000.000) (5.663)
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	302,784,031 302,777,201 302,777,110 302,777,110 302,78,987 302,751,947 302,751,947 302,711,181 302,717,181	302,649,098 302,636,002 302,616,600 302,612,511 302,564,136 302,556,140 322,526,168 322,526,108 322,526,109 322,526,109	322,523,457 322,523,457 322,523,457 322,502,107 322,501,020 322,463,504 322,463,110 332,403,619 332,403,619 332,391,129 332,391,129	382,391,122 382,386,146 382,384,555 382,384,555 382,29,887 382,29,288 382,25,290 397,245,290 397,245,290 397,247,754 397,231,767 397,231,767 397,231,767 397,231,767 397,231,767 397,231,767 397,231,767 397,231,767 397,231,767 397,231,374 397,105,374 397,105,374 397,105,374 397,105,374 397,105,374 397,105,374 397,105,374 397,054,301 397,014,301 396,998,744	396,911,492 396,896,307 396,896,307 396,842,101 396,837,385 396,793,821 396,793,821 396,793,82 396,708,103 396,708,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396,708,103 396
Column 7 <u>Transfers of</u> <u>Principal Out</u>					
Column 6 Transfers of Principal In					
Column 5 Cash Withdrawals	(42.135) (6,830) (91) (0) (13,559) (4,563) (7,040) (2,341) (6,473)	(61,609) (13,006) (20,090) (3,491) (8,275) (8,096) (49,72) (69) (69)	(2.642) (4.349) (13.691) (13.691) (4.396) (3.844) (8.353) (48.353) (48.3138) (48.138) (9.403)	(7) (4,976) (1,591) (663) (84,005) (33,589) (30,547) (18,690) (3,587) (3,587) (3,587) (3,587) (1,587) (4,210) (64,210) (64,210) (8,639) (12,681) (13,681) (13,681) (13,681) (13,681) (14,681) (1	(67.07.1) (14.837) (36.547) (4.455) (4.414) (4.414) (43.866) (85.662) (10.000,000) (15.000,000) (15.000,000)
Column 4 Cash Deposits		20,000,000	30,000,000	15,000,000	
Column 3 Transaction Amount Reported in Customer Statement	(42,135) (6,830) (91) (0) (13,539) (4,563) (7,040) (28,441) (6,435) (6,435)	(61,609) (13,006) (20,090) (3,491) (3,8275) (8,096) (49,972) 20,000,000 (69)	(2,642) 30,00,000 (4,349) (13,691) (13,691) (4,396) (8,384) (8,333) (48,138) (48,138) (86) (86) (86) (86) (86) (86) (86) (8	(4,976) (1,591) (6,339) (84,005) (84,005) (80,547) (18,690) (1,587) (71) (71) (71) (71,586) (71,262) ((67,071) (14,637) (30,547) (4,455) (19,751) (43,866) (43,866) (85,662) (10,000,000) (15,000,000) (15,000,000) (5,663)
Column 2 <u>Transaction</u> <u>Description</u>	WH TAX DIV MO WH TAX DIV GE FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV WMT WH TAX DIV WM WH TAX DIV WM WH TAX DIV MM WH TAX DIV MM WH TAX DIV MM WH TAX DIV MS WH TAX DIV MS	WH TAX DIV BAC WH TAX DIV PEP WH TAX DIV KO WH TAX DIV VIA B WH TAX DIV WAB WH TAX DIV MRK WH TAX DIV MO WH TAX DIV MO THE TAY	WH TAX DIV MER CHECK WIRE WH TAX DIV WE WH TAX DIV WE WH TAX DIV WE WH TAX DIV BA WH TAX DIV DA FIDELITY SPARTAN U STREASURY MONEY MARKET WH TAX DIV DA FIDELITY SPARTAN U STREASURY MONEY MARKET CHECK WIRE	FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV WMT WH TAX DIV WMT WH TAX DIV WME WH TAX DIV WE WH TAX DIV BA WH TAX DIV BA WH TAX DIV BA WH TAX DIV BE WH TAX DIV BU WH TAX DIV BU WH TAX DIV BU WH TAX DIV SU WH TAX DIV WH	W/H TAX DIV BAC W/H TAX DIV PEP W/H TAX DIV PEP W/H TAX DIV MRK W/H TAX DIV WA.B W/H TAX DIV WO W/H TAX DIV WA
Column 1 <u>Date</u>		9/24/2004 v 9/24/2004 v 9/20/2004 v 10/1/2004 v 10/1/2004 v 10/1/2004 v 11/1/2004 v 11/1/2		4	

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Column 12 Enll History	Cash Withdrawals	(2)	(10,000,000)	(9,400)	(6,297)	(12,810)	(6,370)	(3,449)	(6,779)	(3,812)	(43,540)	(67,135)	(911)	(8.576)	(1,432)	(60,000,000)	D(187,8)	(62,111)	19	- e	1 (64,59 <i>5</i>)	(10.000.01)	(6,919)	(34,939)	(40,000,000)	(3,999)	(1,794)	(81,651)	(3)	(17,497)	(50,862)	(23,881)	(7,391)	(10,885)	(33,291)	(32,204)	(6,911)	(1)	(12,526)	(17)	(2,376)	(14,225)	(7,982)	(27,356) (7,454)
Column 11	Cash Withdrawals	(2)	(10,000,000)	(9,400)	(52,512)	(12,810) (18,152)	(6,370)	(3,449)	(6,779)	(3,812)	(43,540)	(67,135)	(11)	(2)	(1,432)	(50,000,000)	(8,731)	(62,111)	9 =	99	(64,595)	(10.000.000)	(6,919)	(34,939)	(40,000,000)	(3,999)	(1,794)	(81,651)	(8)	(17,497)	(50,862)	(23,881)	(168,7)	(10,885)	(33,291)	(32,204)	(6,911)	(1)	(12,526)	(17)	(2,376)	(14,225)	(7,982)	(27,356) (7,454)
Column 10	Cash Withdrawals									٠		•			•			•		Ì			٠			•		•		•			•				•		•					
Column 9	Preferential Transfers									•		•			·					ĺ			•			•		•		•							•		·			•		
Column 8	Balance of Principal	371,702,422 371,699,728	371,695,872	361,686,471	361,627,659	361,596,696	361,590,326	361,563,227	351,556,448	351,552,636	351,509,096	351,441,949	366,441,833	366,441,832	366,431,823	366,407,735	306,399,003	306,336,801	306,336,795	306,336,793	306,272,197	296,272,183	296,265,264	296,230,326	256,219,756	256,215,746	256,213,952 256,207,553	256,125,902	256,125,893	256,076,785	256,009,386	255,994,843	255,921,343	255,910,458	255,865,649	255,833,444	255,807,901	255,800,316	255,787,790	255,781,773	255,720,607	255,706,378	255,698,396	255,667,412 255,659,957
Column 7	Transfers of Principal Out									١		•			·					٠						١		•					•				•		·					
Column 6	Transfers of Principal In									•		•			·					·						١		•									•		·					
Column 5	Cash Withdrawals	(2) (2,694)	(10,000,000)	(9,400)	(52,512)	(12,810)	(6,370)	(3,449)	(6,779)	(3,812)	(43,540)	(67,135)	(911)	(2)	(1,432)	(60,000,000)	(8,731)	(62,111)	(e) (E)	99	(64,595)	(14)	(6,919)	(34,939)	(40,000,000)	(3,999)	(1,794)	(81,651)	(3)	(17,497)	(50,862)	(23,881)	(7,391)	(10,885)	(33,291)	(32,204)	(6,911)	(1)	(12,526)	(17)	(2,376)	(14,225)	(7,982)	(27,356) (7,454)
Column 4	Cash Deposits									٠		000000			•					·			•																•					
Column 3 Transaction Amount	Reported in Customer Statement	(2) (2,694)	(3,857)	(9,400)	(52,512)	(12,810)	(6,370)	(3,449)	(6,779)	(3,812)	(43,540)	(67,135)	(116)	(2) (8.576)	(1,432)	(50,000,000)	(8,731)	(62,111)	(9)	000	(4,595)	(14)	(6,019)	(34,939)	(40,000,000)	(3,999)	(1,794)	(81,651)	(3)	(17,497)	(50,862)	(23,881)	(7,391)	(10,885)	(33,291)	(32,204)	(6,911)	(1)	(12,526)	(17)	(2,376)	(14,225)	(7,982)	(7,356) (7,454)
Column 2	<u>Transaction</u> <u>Description</u>	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV UTX	MM	WH TAX DIV AIG FIDELITY SHATAN US TREASURY MONEY MARKET	AC	0	LL RK	(A.B	PQ	J. B.	W/H TAX DIV MO FIDELITY SPARTAN U S TREASURY MONEY MARKET	П	CHECK WIRE FIDELITY SPARTAN US TREASURY MONEY MARKET	TAN USTREASURY MONEY MARKET TO		0	W/H TAX DIV HPQ FIDELITY SPARTAN 11 S TREASTIRY MONEY MARKET	0.	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	E	FIDELITY SPARTAN US TREASURY MONEY MARKET CHECK WIRE	WD	BT.	CHECK WIRE FIDELITY SPARTAN 11 STREASHRY MONEY MARKET	S	XN ER	THE THE ACTION WOLLD A THE TANK	FIDELLI Y SPAKTAN US TREASURY MONEY MARKET W/H TAX DIV WFC	TTC	A TE	SFT	XX	MM	VX VX	7.0	D.	W/H LAA DIV LWA FIDELITY SPARTAN US TREASURY MONEY MARKET	DI	FIDELLIY SPAKTAN USTREASURY MONEY MARKET W/H TAX DIV BAC	W/H TAX DIV S FIDELITY SPARTAN 11S TREASHRY MONEY MARKET	d _s	MT A.B	IRK PQ
1				W/H TAX DIV AIG FIDELITY SPARTA	W/H TAX DIV HD	W/H TAX DIV FEP W/H TAX DIV KO	W/H TAX DIV ALL	W/H TAX DIV VI	W/H TAX DIV HPQ CHECK WIRE	ш			FIDELITY SPART	W/H TAX DIV PEP	ш	W/H TAX DIV KO CHECK WIRE								5 W/H TAX DIV PG 5 W/H TAX DIV ABT			5 W/H TAX DIV TXN 5 W/H TAX DIV MER		,			W/H TAX DIV MSFT		5 W/H TAX DIV MMM 5 W/H TAX DIV IBM		5 W/H TAX DIV JNJ 5 W/H TAX DIV KO							W/H TAX DIV WMT	W/H TAX DIV HPQ
Column 1	Date	6/9/2005	6/13/2005 6/15/2005	6/20/2005	6/24/2005	7/1/2005	7/1/2005	7/1/2005	7/6/2005	7/8/2005	7/11/2005	7/25/2005	9/8/2005	9/12/2005	9/30/2005	10/3/2005	10/5/2005	10/11/2005	10/12/2005	10/14/2005	10/25/2005	10/26/2005	10/31/2005	11/15/2005	11/16/2005	11/21/2005	11/21/2005	11/23/2005	12/1/2005	12/1/2005	12/6/2005	12/8/2005	12/12/2005	12/12/2005	12/12/2005	12/13/2005	12/15/2005	12/15/2005	12/16/2005	12/22/2005	12/30/2005	1/3/2006	1/3/2006	1/3/2006

Column 12

Column 11

Column 9

Column 8

Column 4

Column 3

Column 1

08	-C	1	78			_					C !	56							ec	l ()2	/1	.8/ ac	14	4 of-	11	E	nt					2/1			4				_						oit						
Column 12 Full History Cash Withdrawals	(17.882)	(18)	(9,348)	(8,456)	(9,720)	(1,526)	(13,488)	(3,606)	(78,312)	(7,213)	(1)	(18,981)	(27,005)	(7,790)	(55,941)	(26,163)	(31,985)	(2,883)	(9,923)	(6,982)	9 19,01)	(31,419)	(1,382)	(11,836)) (55.65) (55.65)	(24)	(2,290)	(1)	(13,067)	(25,593)	(19,692)	(1)	(2)	(51.635)	(7)	(83,547)	. (11)	(3,537)	(39,598)	(26,852)	(36,634)	· (S)	(4,653)	(31,767)	(13,890)	(5,303)	(7,145)	(4,847)	(75,998)	(35)	(28,235)	(18,576)
Column 11 6-Year Cash Withdrawals	(17.882)	(18)	(9,348)	(8,456)	(9,720)	(1,526)	(13,488)	(3,606)	(78,312)	(7,213)	(I)	(18,981)	(27,005)	(7,790)	(55,941)	(26,163)	(31,985)	(62,626)	(9,923)	(6,982)	(10,617)	(31,419)	(1,385)	(11,836)	(9,655)	(71,363)	(2,290)	(1)	(13,067)	(25,593)	(19,692)	(1)	(2)	(51.635)	(7)	(83,547)	(11)	(3,537)	(39,598)	(26,852)	(36,634)	(5)	(4,653)	(31.767)	(13,890)	(5,303)	(7,145)	(4,847)	(75,998)	(15,032)	(28,235)	(18,576)
Column 10 2-Year Cash Withdrawals																																																				
Column 9 90-Day Preferential Transfers		•						•		٠	•			•								•								•			•			•		•										٠	•			
Column 8 Balance of Principal	255 642 075	255,642,057	255,632,709	255,624,224	255,614,504	255,612,977	255,569,600	255,565,994	255,487,637	255,480,424	255,480,423	230,461,442	230,434,438	230,426,648	230,413,492	230,331,388	230,299,402	230,233,891	230,223,969	230,216,987	230,206,366	230,174,948	230,167,562	230,155,725	230,146,070	230,074,683	230,072,394	230,072,393	230,046,192	230,020,600	230,000,908	229,993,858	229,993,857	229,989,387	229,937,746	229,854,199	229,858,657	229,855,120	229,806,548	229,779,697	229,743,063	239,743,063	239,738,405	239,706,634	239,692,744	239,687,441	239,678,801	239,673,954	239,597,956	239.584.889	239,556,654	239,538,078 239,530,362
Column 7 Transfers of Principal Out																																	•					•														
Column 6 Transfers of Principal In		•	•					•						•					٠						•		•			•			•			•		•														
Column 5 Cash Withdrawals	(17.882)	(18)	(9,348)	(8,456)	(9,720)	(1,526)	(13,488)	(3,606)	(78,312)	(7,213)	(1)	(18,981)	(27,005)	(7,790)	(55,941)	(26,163)	(31,985)	(62.626)	(9,923)	(6,982)	(10,617)	(31,419)	(1,385)	(11,836)	(9,655)	(71,303)	(2,290)	(1)	(13,067)	(25,593)	(19,692)	(1)	(2)	(4,469)	(7)	(83,547)	(11)	(3,537)	(39,598)	(26,852)	(36,634)	(5)	(4,653)	(31,767)	(13,890)	(5,303)	(7,145)	(4,847)	(75,998)	(35)	(28,235)	(18,576)
Column 4 <u>Cash</u> <u>Deposits</u>			•																١								•	•					•			•		•			- 000 000 01	- 10,000,000										
Column 3 Transaction Amount Reported in Customer Statement	(17.882)	(18)	(9,348)	(8,456)	(9,720)	(1,526)	(13,488)	(3,606)	(78,312)	(7,213)	(1)	(25,000,000)	(27,005)	(7,790)	(55,941)	(26,163)	(31,985)	(62.626)	(9,923)	(6,982)	(10,01)	(31,419)	(1,385)	(11,836)	(9,655)	(71,303)	(2,290)	(1)	(13,067)	(25,593)	(19,692)	(1)	(2)	(4,469)	(7)	(83,547)	(11)	(3,537)	(39,598)	(26,852)	(36,634)	(5)	(4,653)	(31.767)	(13,890)	(5,303)	(7.145)	(4,847)	(75,998)	(15,032)	(28,235)	(18,576)
Column 2 <u>Transaction</u> <u>Description</u>		FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MS	N OSTINEASONI MONET MANNET					W/H IAA DIV C FIDELITY SPARTAN USTREASURY MONEY MARKET		FIDELITY SPARTAN US TREASURY MONEY MARKET									W/H TAX DIV UTX FIDELITY SPARTAN 11S TREASTIRY MONEY MARKET			W/H TAX DIV TWX FIDELITY SPARTAN TIS TREASHRY MONEY MARKET			W/H LAX DIV BAC FIDELITY SPARTAN US TREASURY MONEY MARKET		N US TREASURY MONEY MARKET				I US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET		FIDELITY SPARTAN US TREASURY MONEY MARKET	0 15	FIDELITY SPARTAN USTREASURY MONEY MARKET					FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV AXP	OS INCASONI MONEI MAINEI						W/H LAZ DIV OFS FIDELITY SPARTAN US TREASURY MONEY MARKET		
-	W/H TAX DIV DIS	FIDELITY SPARTAN	W/H TAX DIV MS	W/H TAX DIV VZ	W/H TAX DIV T	W/H TAX DIV TXN W/H TAX DIV PG	W/H TAX DIV ABT	W/H TAX DIV GS	W/H IAX DIV C FIDELITY SPARTAN	W/H TAX DIV MER	FIDELITY SPARTAN	W/H TAX DIV INTC	W/H TAX DIV WFC	W/H TAX DIV BA	W/H TAX DIV PFE	W/H TAX DIV MSFT	W/H TAX DIV CVX	W/H TAX DIV XOM	W/H TAX DIV IBM	W/H TAX DIV UTX	W/H TAX DIV MMM	W/H TAX DIV JNJ	W/H TAX DIV TWX					FIDELITY SPARTAN	W/H TAX DIV WMT	W/H TAX DIV MRK	W/H TAX DIV KO	FIDELITY SPARTAN	FIDELITY SPARTAN	W/H TAX DIV SLB	FIDELITY SPARTAN	W/H TAX DIV GE					W/H TAX DIV VZ	FIDELITY SPARTAN	W/H TAX DIV AXP	W/H TAX DIV PG	W/H TAX DIV ABT	W/H TAX DIV CAT	W/H TAX DIV MER	W/H TAX DIV GS	W/H TAX DIV C	FIDELITY SPARTAN	W/H TAX DIV WFC	W/H TAX DIV INTC W/H TAX DIV BA
Column I Date	1/6/2006	1/13/2006	1/31/2006	2/1/2006	2/1/2006	2/13/2006	2/15/2006	2/23/2006	2/28/2006	2/28/2006	3/1/2006	3/1/2006	3/1/2006	3/3/2006	3/7/2006	3/9/2006	3/10/2006	3/10/2006	3/10/2006	3/10/2006	3/13/2006	3/14/2006	3/15/2006	3/17/2006	3/23/2006	3/30/2006	3/31/2006	3/31/2006	4/3/2006	4/3/2006	4/3/2006	4/5/2006	4/7/2006	4/10/2006	4/21/2006	4/25/2006	4/28/2006	4/28/2006	5/1/2006	5/1/2006	5/1/2006	5/5/2006	5/10/2006	5/15/2006	5/15/2006	5/22/2006	5/24/2006	5/25/2006	5/26/2006	5/31/2006	9/1/2006	6/1/2006

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0	8-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash	(13,403) (13,403) (56,242) (17,061) (25,463) (62,424) (10,517) (14,926) (4,165) (53,365)	(7.149) (7.149) (7.138) (7.138) (1.1406) (12,431) (14,060) (12,431) (14,060) (12,431) (14,060) (12,431) (17,50)	(82.96) (82.96) (82.00) (90.86	(3.687) (3.735) (3.733) (21,373) (21,373) (3.602) (45,373) (41,447) (10,724) (10,724) (10,724) (10,738) (10,738) (10,738) (10,738) (10,738) (10,738) (10,61) ((1,744) (14,902) (14,902) (5,215) (6,2,378) (6,002) (5,000,00) (1,001)
Column 11 6-Year Cash	(13.403) (13.403) (17.061) (17.061) (12.424) (14.926) (14.927) (14.927) (14.927) (14.927) (14.927) (14.927) (14.927) (14.927)	(7.149) (10.288) (10.288) (2.358) (13.459) (14.060) (12.431) (2.6.063) (7.256)	(36,283) (253) (27) (28,20) (10) (24,118) (24,18) (1,100) (2,959) (1,100) (2,549) (2,549)	(3,725) (3,680) (3,687) (13,759) (22,373) (22,373) (2,882) (9,862) (9,862) (9,862) (9,862) (9,862) (10,724) (10,724) (10,61) ((1,764) (19,177) (14,992) (5,213) (42,378) (8) (61,278) (5,000,000) (1) (1) (1) (1)
Column 10 2-Year Cash					
Column 9 <u>90-Day</u> <u>Preferential</u> Transfare					
Column 8 Balance of	239,516,959 239,46,718 239,443,667 239,443,667 239,345,570 239,345,253 239,390,377 239,290,770	239,283,621 239,199,030 239,199,030 239,198,940 239,196,582 239,181,123 239,187,064 239,184,632 239,184,632 239,184,632 239,184,632 239,184,632 239,184,632 239,184,632 239,014,18	239,079,171 239,042,869 239,042,864 239,032,008 239,039,008 239,038,997 239,038,997 239,013,986 239,013,878 239,013,878 239,012,778 239,012,778 239,012,778	238,044,096 238,944,096 238,934,096 238,934,600 238,902,287 238,806,226 238,806,826 238,836,958 238,836,946 238,745,736 238,745,736 238,745,736 238,745,736 238,745,736 238,745,736 238,745,746 238,745,746 238,746,747 238,746,747 238,699,335 238,69	238,602,982 238,588,806 238,588,814 238,561,221 238,521,213 238,521,213 238,521,203 238,459,932 233,459,932 233,459,932 233,459,924 233,459,924 233,459,924
Column 7 Transfers of					
Column 6 Transfers of					
Column 5 Cash Withdrawals	(13,403) (56,242) (17,061) (62,244) (10,517) (14,926) (4,165) (5,365) (5,365)	(7,149) (10,288) (10,288) (2,338) (2,358) (14,060) (12,431) (2,431) (2,431) (2,431) (2,431) (3,431) (3,431) (3,431) (4,060) (12,431) (2,603) (3,431) (4,603) (4,404) ((4,990) (36,283) (52) (53) (63,80) (10) (4,90) (24,118) (5,959) (1,100) (7,945)	(3.23) (5.23) (5.23) (2.33) (2.33) (2.33) (2.33) (4.44) (4.34) (4.34) (6.23) (6	(1,764) (10,777) (14,992) (4,937) (6,237) (6,2378) (5,000,000) (1) (1) (1) (1) (1)
Column 4 Cash Dancette					10,000,000
Column 3 Transaction Amount Reported in Curtaneae Seatonment	(13,403) (13,403) (56,242) (17,061) (25,463) (62,424) (10,517) (14,926) (4,165) (53,565) (53,653)	(7.149) (7.149) (10.285) (74.303) (2.388) (15.459) (15.459) (12.431) (2.6063) (7.256)	(4990) (56,283) (25) (58,60) (10) (10) (24,18) (5,959) (2,959) (1,100) (1,100) (2,118) (2,249) (2,249)	(3,735) (3,739) (3,739) (3,739) (2,333) (2,333) (4,447) (9,862) (9,862) (9,862) (9,862) (1,738	(1,764) (19,777) (14,992) (5,215) (2,378) (61,278) (5,000,000) (1) (1) (1) (1) (1) (1) (1) (2) (3) (4) (1) (1) (1) (1) (1) (1) (1) (1) (1) (1
Column 2 Transaction	WH TAX DIV WMT WH TAX DIV WMT WH TAX DIV MST WH TAX DIV MST WH TAX DIV MMM WH TAX DIV MMM WH TAX DIV LIX	WH TAX DIV TWX WH TAX DIV HD WH TAX DIV BAC EDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV BEP WH TAX DIV BEP WH TAX DIV AG WH TAX DIV WR	WH TAX DIV SLB WH TAX DIV SLB WH TAX DIV MO THDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV MS WH TAX DIV MS WH TAX DIV SLB WH TAX DIV PG WH TAX DIV PG WH TAX DIV ABT WH TAX DIV TXN	WH TAX DIV GS WH TAX DIV GS WH TAX DIV GS WH TAX DIV GS WH TAX DIV NTC WH TAX DIV WHC EIDELITY SARTAN US TREASURY MONEY MARKET WH TAX DIV WMT WH TAX DIV WMY WH TAX DIV SON WH TAX DIV MS WH TAX DIV TO WH TAX D	W/H TAX DIV S WH TAX DIV MRK WH TAX DIV MRK WH TAX DIV MO WH TAX DIV HO W/H TAX DIV HO WH TAX DIV MO FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV GE WH TAX DIV GE FIDELITY SPARTAN US TREASURY MONEY MARKET
Column 1	20, 20, 20, 20, 20, 20, 20, 20, 20, 20,		7/1/2006 7/10/2006 7/14/2006 7/31/2006 7/31/2006 8/15/2006 8/15/2006 8/15/2006 8/15/2006 8/15/2006 8/15/2006 8/15/2006 8/15/2006		22229

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Column 12

Column 11

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Column 7

Column 5

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	01789-cgm ବ୍ୟର୍ବ ଜ୍ୟୁ	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57 129	Exhibit A
Column 12 Full History Cash Withdrawals	(3) (24,716) (2,913) (25,335) (6,142) (4,033) (4,033) (17,469)	(14) (14) (14) (12,676) (12,676) (4) (4) (1,981) (5,089) (6,030)	(01) 104 of 104	(6.054) (6.054) (6.083) (6.031) (6.2138) (6.2138) (6.2138) (6.243) (7.239) (7.001) (7.001) (7.001) (11.020) (11.020) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763) (1.5763)	(38,409) (63,22) (21,632) (21,632) (4,696) (21,019) (41,114) (41,114) (4,534) (3,18) (3,18) (3,18) (3,18) (3,18)
Column 11 6-Year Cash Withdrawals	(3) (24,716) (2,913) (8) (25,535) (6,142) (4,033) (17,469)	(14) (33,030) (9,859) (12,676) (4) (4) (1,981) (5,050) (6,050)	(10) (29,870) (2,420) (19,887) (13,887) (13,887) (13,812)	(6.530) (6.085) (10,372) (6.085) (2.2,38) (6.543) (16,543) (16,543) (24,339) (23) (29) (10,00) (11,020) (11,020) (11,020) (11,020) (14,51) (11,020) (12,765) (14,51) (13,765) (14,51) (13,765) (14,51) (14,51) (15,765) (16	(7) (58,409) (2,372) (2,372) (2,372) (4,696) (2,1079) (4,119) (4,119) (4,554) (1,518) (1,518) (3,416)
Column 10 2-Year Cash Withdrawals	(3) (24,716) (2,913) (8) (25,535) (6,142) (4,033) (17,469)	(14) (33,030) (9,839) (12,676) (4) (1,981) (5,039) (6,050)	(10) (29,870) (2,420) (19,827) (13,827) (13,812) (13,812) (13,827) (13,812)	(36,30) (6,030) (10,372) (6,085) (22,238) (6,914) (16,543) (16,543) (16,543) (10,543) (29) (10,00) (11,020) (11,020) (11,020) (14,765) (14,765) (14,765) (14,765) (14,765) (15,765) (16	(58,409) (2,372) (2,5372) (2,1632) (4,696) (2,1079) (4,554) (1,518) (1,518) (9,678) (2,1506) (3,985)
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	371,248,599 371,228,882 371,220,970 401,220,962 401,195,426 401,185,251 401,185,251 401,185,251 401,185,251	401,163,160 401,130,130 401,120,271 401,107,595 401,107,595 401,107,588 401,107,588 401,109,548 401,094,485 401,094,485	411,094,475 411,004,405 421,004,605 421,002,185 421,022,185 421,022,885 421,014,661 420,974,834 420,976,278 430,966,278 430,966,278 430,966,278 430,966,278 430,966,278 430,966,278	430,855,941 430,885,941 430,887,319 430,887,319 430,871,739 430,877,739 430,790,760 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,731 430,790,927 430,790,927 430,675,839 440,675,839 440,675,839	456,557,629 456,599,220 456,599,220 456,576,248 456,577,216 456,570,519 456,540,377 456,503,773 456,503,773 456,503,773 456,489,162 456,489,839 456,489,162 456,489,162
Column 7 Transfers of Principal Out					
Column 6 Transfers of Principal In					
Column 5 Cash Withdrawals	(3) (24,716) (2,716) (8) (25,535) (6,142) (4,033) (17,469)	(14) (33,030) (9,839) (12,676) (4) (4) (1,981) (5,059) (6,050)	(10) (29,870) (2,420) (19,827) (13,812) (13,812) (39,827) (8,537) (5,532) (5,532)	(5,530) (6,080) (10,332) (6,083) (6,083) (6,081) (16,543) (16,543) (29,080) (29,080) (11,020) (11,020) (11,020) (11,020) (11,020) (11,020) (11,020) (11,020) (11,020) (12,765) (13,765) (13,765) (13,765) (13,765) (13,765) (13,765) (13,765) (13,765) (13,765) (13,765) (14,765)	(7) (88,409) (2,372) (21,632) (21,632) (4,696) (21,079) (4,534) (1,518) (4,534) (1,518) (9,678) (21,506) (3,985)
Column 4 <u>Cash</u> <u>Deposits</u>	30,000,000	oo ooo o	10,000,000,000	10,000,000	000,000,000
Column 3 Transaction Amount Reported in Customer Statement	(3) (24,716) (2,913) 30,000,000 (8) (25,535) (6,142) (6,143) (4,033) (4,033)	(14) (33030) (33030) (9,859) (1,676) (4) (4) (1,981) (5,059) (6,050) (13)	(29,870) (29,870) (29,870) (10,000,000 (2,420) (13,882) (13,882) (13,882) (13,882) (13,882) (13,882) (13,882) (13,882) (13,882) (13,882) (13,812) ((66,301) (60,302) (60,303) (60,837) (60,837) (62,238) (62,238) (62,439) (62,439) (73,439) (73,63) (110,20) (110,204) (7,934)	(5.372) (2.372) (2.1632) (2.1632) (2.1632) (4.696) (2.073) (4.114) (4.554) (1.518) (1.518) (9.678) (2.1506) (3.985)
Column 2 <u>Transaction</u> <u>Description</u>	FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV MER CHECK WIRE FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV MCD WH TAX DIV WCD WH TAX DIV COP WH TAX DIV COP WH TAX DIV COY WH TAX DIV COY WH TAX DIV COY WH TAX DIV COX	HIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV INI WH TAX DIV MAN WH TAX DIV MAN HIDELITY SPARTAN US TREASURY MONEY MARKET HIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV HPQ WH TAX DIV WMT WH TAX DIV UPS HIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV UPS HIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIRE WH TAX DIV C CHECK WIRE WH TAX DIV GS WH TAX DIV GS WH TAX DIV GS WH TAX DIV WFC WH TAX DIV WFC WH TAX DIV WFC WH TAX DIV WFC WH TAX DIV WFE WH TAX DIV WFR WH TAX DIV WFR WH TAX DIV WFR WH TAX DIV WFR	WH TAX DIV XOM WH TAX DIV XOM WH TAX DIV IBM WH TAX DIV IBM WH TAX DIV IBM WH TAX DIV INJ WH TAX DIV MAM WH TAX DIV MAF WH TAX DIV MSFT WH TAX DIV WB WH TAX DIV BAC CHECK WIRE WH TAX DIV BAC WH TAX DIV BAC WH TAX DIV BAC TAX DIV BAC WH TAX DIV BAC TAX DIV BAC WH TAX DIV BAC	CHECK WINEE WH TAX DIV GE WH TAX DIV MDT WH TAX DIV MDT WH TAX DIV MS WH TAX DIV MS WH TAX DIV WS WH TAX DIV WS WH TAX DIV WS WH TAX DIV WS WH TAX DIV CYS WH TAX DIV CAT
_					
Column 1 <u>Date</u>	11/21/2007 11/21/2007 11/23/2007 11/23/2007 12/3/2007 12/3/2007 12/3/2007 12/3/2007 12/3/2007 12/3/2007	12/11/2007 12/11/2007 12/12/2007 12/20/2007 12/20/2007 12/20/2008 1/2/2008 1/3/2008 1/3/2008	272/2008 272/2008 272/2008 272/2008 272/2008 3/3/2008 3/4/2008 3/5/2008 3/7/2008 3/10/2008	3/10/2008 3/10/2008 3/10/2008 3/10/2008 3/13/2008 3/13/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 3/17/2008 4/17/2008 4/17/2008 4/17/2008 4/17/2008 4/17/2008 4/17/2008 4/17/2008	41/2008 473/2008 473/2008 4730/2008 4730/2008 5/1/2008 5/1/2008 5/1/2008 5/15/2008 5/15/2008 5/15/2008

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	08-	-01	78	9-c	gn	า	С)o	C ?	56	67	7-1	-	F	ile	d_	02	/1	.8/	14	ļ	E	n	er	ed	0	2/	18	/1	4 :	L9	:2	1:5	57		E	khi	ibit	Α				
Column 12	Cash Withdrawals	(27,325)	(18,271)	(32,531)	(8,038)	(70,067)	(22,192)	(14,346)	(44,236)	(10,356)	(11,836)	(46)	(2,264)	(3)	(20,000,000)	(30,000,000)	9	(38,723)	(20,000,000)	(10,000,000	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388)	(48,570)	(44,190)	(69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(50,000,000)	(8,018)	(0) (11,911)	(e) (e)	(0) (6,398)	(0)
Column 11	Cash Withdrawals	(27,325)	(2,214) (18,271)	(32,531) (13,947)	(8,038) (14,647)	(70,067)	(22,192)	(10,413)	(44,236)	(10,356)	(11,836)	(46)	(2,264)	© ©	(20,000,000)	(30,000,000)	(2)	(38,725)	(20,000,000)	(10,000,000)	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388) (28,907)	(48,570)	(44,190)	(4) (69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(30,000,000)	(8,018)	(11,911)	99	(0) (6,398)	(0)
Column 10	Cash Withdrawals	(27,325)	(18,271)	(32,531) (13,947)	(8,038) (14,647)	(70,067)	(22,192)	(10,413)	(44,236)	(10,356)	(11,836)	(46)	(2,264)	© ©	(20,000,000)	(30,000,000)	(2)	(38,725)	(2,872)	(10,000,000)	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388) (28,907)	(48,570)	(44,190)	(4) (69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(50,000,000)	(8,018)	(0)	99	(0) (6,398)	(0)
Column 9	Preferential Transfers						•					•								- 65	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388)	(48,570)	(44,190)	(4) (69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(50,000,000)	(8,018)	(0) (11,911)	99	(0) (6,398)	(0)
Column 8	Balance of Principal	456,436,346	456,434,104 456,415,833	456,383,302 456,369,355	456,361,316 456,346,670	456,276,603 456,267,135	456,244,943	456,220,181	456,175,946	456,096,311	456,084,475	456,056,113	456,053,847	456,053,844	436,053,844	396,053,844	396,053,842	396,009,087	396,006,215	366,006,215	365,891,318	365,869,665	365,863,101	365,845,306	365,833,839	365,791,536	365,775,148	365,697,671	365,653,472	365,584,316 365,584,316	365,578,245	365,546,600	365,536,050 365,521,215	365,501,886	365,479,409	365,461,301	325,461,301	260,461,301	230,453,284	230,453,284	230,441,372 230,441,372	230,441,372 230,434,974	230,434,973
Column 7	Transfers of Principal Out						•													•						·													٠				
Column 6	Transfers of Principal In																			•						·																	
Column 5	Cash Withdrawals	(27,325)	(2,214) (18,271)	(32,531)	(8,038) (14,647)	(70,067)	(22,192)	(10,413)	(44,236)	(10,356)	(11,836)	(46)	(1) (2,264)	(E) (G)	(20,000,000)	(30,000,000)	(6,030)	(38,725)	(20,000,000)	(10,000,000)	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388)	(48,570)	(44,190)	(69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(50,000,000)	(8,018)	(0) (11,911)	99	(0) (6,398)	(0)
Column 4	Cash Deposits									ŀ																•																	
Column 3	Reported in Customer Statement	(27,325)	(18,271)	(32,531) (13,947)	(8,038) (14,647)	(70,067)	(22,192)	(10,413)	(44,236)	(10,356)	(11,836)	(46)	(2,264)	(9)	(20,000,000)	(30,000,000)	(2)	(38,725)	(20,000,000)	(10,000,000)	(93,279)	(21,653)	(6,564)	(17,795)	(7,423)	(1)	(16,388) (28,907)	(48,570)	(44,190)	(4) (69,152)	(6,071)	(17,804)	(10,549)	(19,329)	(10,490)	(15,383)	(40,000,000)	(50,000,000)	(8,018)	(0) (11,911)	(e) (e)	(0) (6,398)	(0)
Column 2	<u>Transaction</u> <u>Description</u>	C RTAN US TREASURY MONEY MARKET	GS WMT	WFC	COP	PFE BA	IBM	JNJ	CVX	EXC	MMM MSFT	FIDELITY SPARTAN US TREASURY MONEY MARKET EIDELITY SPADTAN ITS TREASTIDY MONEY MARKET	CVS	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET			FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV CAT		SS	CLEA	WFC	W/H TAX DIV PEP FIDELITY SPARTAN 11S TREASHRY MONFY MARKET	BA	WMT	TWX	SPARTAN US TREASURY MONEY MARKET	COP	W/H TAX DIV PFE FIDELITY SPAPTAN 11 S TREASTIRY MONEY MARKET	CVX	FIDELLIY SPARTAN USTREASURY MONEY MARKET W/H TAX DIV XOM	BUD	NTC	UPS	AIG	EXC	COM			KO	FIDELLIY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV PM	FIDELITY SPARTAN USTREASURY MONEY MARKET FIDELITY SPARTAN USTREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV HPQ	FIDELITY SPARTAN US TREASURY MONEY MARKET
Column 1	<u>Date</u>	008 W/H TAX DIV C 008 FIDELITY SPARTAN	∞			08 W/H TAX DIV PFE 08 W/H TAX DIV BA	W/H TAX DIV	W/H TAX DIV		Н	008 W/H TAX DIV MMM 008 W/H TAX DIV MSFT				ш				008 W/H TAX DIV GS 08 CHECK WIRE	∞ 0				008 W/H TAX DIV WMT 008 W/H TAX DIV HD		FIDELITY					008 W/H TAX DIV BUD 008 W/H TAX DIV MCD	Ш		008 W/H TAX DIV AIG 008 W/H TAX DIV MMM		008 W/H TAX DIV IBM	008 CHECK WIRE 008 CHECK WIRE						
Colt	a	5/23/2008	5/29/2008	6/2/2008	6/2/2008	6/3/2008	6/10/2008	6/10/2008	6/10/2008	6/10/2008	6/12/2008	7/21/2008	8/1/2008	8/8/2008	8/13/2008	8/18/2008	8/18/2008	8/22/2008	8/28/2008	9/10/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/3/2008	10/22/2008	11/4/2008	11/4/2008	11/4/2008	11/4/2008	11/4/2008

	08-	-0	1	7	8	9	-(Ç	gr	n	
Column 12	Cash Withdrawals	(26,194)	(4,563)	(4,831)	(20,000,000)	(1)	(0)	(1)	(E)	(0)	\$ (538.040.617)
Column 11	Cash Withdrawals	(26,194)	(4,563)	(4,831)	(20,000,000)	(1)	(0)	(1)	\equiv	(0)	\$ (475.485.759)
Column 10	Cash Withdrawals	(26,194)	(4,563)	(4,831)	(20,000,000)	(1)	(0)	(1)	(E)	(0)	\$ (248.979.674)
Column 9	Preferential Transfers	(26,194)	(4,563)	(4,831)	(20,000,000)	(E)	(0)	(1)	Ξ	(0)	\$ (155,606,833)
Column 8	Balance of Principal	230,408,780	230,404,217	230,399,386	210,399,386	210,399,385	210,399,385	210,399,384	210,399,383	210,399,383	\$ 210.399.383
Column 7	Transfers of Principal Out										(8.000.000)
Column 6	Transfers of Principal In										\$ 10.200.000
Column 5	Cash Withdrawals	(26,194)	(4,563)	(4,831)	(20,000,000)	Ξ	(0)	(1)	Ξ	(0)	\$ (538,040,617)
Column 4	Cash Deposits										\$ 746.240.000
Column 3	I ransaction Amount Reported in Customer Statement	(26,194)	(4,563)	(4,831)	(20,000,000)	(E)	9	(E)	(E)	(0)	Total:
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV MRK	W/H TAX DIV BAX	W/H TAX DIV MO	CHECK WIRE	FIDELITY SPARTAN US TREASURY MONEY MARKET					
Column 1	Date	11/4/2008	11/4/2008	11/4/2008	11/28/2008	12/3/2008	12/3/2008	12/3/2008	12/3/2008	12/3/2008	

BLMIS ACCOUNT NO. 1FN086 - KINGATE EURO FUND LTD

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Column 12 Full History	Cash Withdrawals	. 2	(189	9.5	(125	(103)	(15)	(107	(21)	(619)	(188	(120	(2)	26)	(305	(12)	(67)	4)	(53	(44]		(10)	(238	(255	5	(3)	(163	(120	0I) 96)	(224	(9)	(116	(172)	(240	(161	(136	(23	(27	68) 68)	98)	(243)	(16	(5)	(1)	(15	(5)	(119)		(590)	(96)	(06)	CK1)
Column 11	Cash Withdrawals				•		·		•			•			•			•		٠						•		٠			•		•		٠		ľ	•				•			•	•		•	•		•	
Column 10	Cash Withdrawals									•																																										
Column 9	Preferential Transfers																			٠																																
Column 8	Balance of Principal	2,000,000	1,999,810	1,999,810	1,999,678	1,999,376	1,999,322	1,999,215	1,998,859	1,998,240	1,998,052	1,997,830	1,997,801	1,997,706	1,997,401	1,997,389	1,997,153	1,997,149	1,997,096	1,996,647	1,996,533	1,996,261	1,996,023	1,995,767	1,995,415	1,995,378	1,995,362	1,995,080	1,995,069	1,994,749	1,994,659	1,993,961	1,993,788	1,993,696	1,993,295	1,993,159	1,993,090	1,993,063	1,992,978	1,992,803	1,992,560	1,992,484	1,992,480	1,992,403	1,992,223	1,992,171	1,992,046	3,291,927	3,291,337	3,291,134	3,290,948	5,290,735
Column 7	Transfers of Principal Out									•																																										
Column 6	Transfers of Principal In				•																																	•														
Column 5	Cash Withdrawals	' ((186)	96	(125)	(103)	(15)	(107)	(219)	(619)	(188)	(120)	(58)	(94)	(305)	(169)	(67)	(4)	(53)	(441)	(114)	(102)	(238)	(255)	(6)	(37)	(16)	(120)	(10)	(224)	(91)	(116)	(172)	(240)	(161)	(136)	(23)	(27)	(68)	(98)	(243)	(16)	(5)	(165)	(15)	(51)	(119)	((590)	(96)	(06)	(641)
Column 4	Cash Deposits	2,000,000																		٠																						•						1,300,000				
Column 3 Transaction Amount	Reported in Customer Statement	2,000,000	(1) (189)	96	(125)	(103)	(15)	(107)	(219)	(619)	(188)	(120)	(29)	(94)	(305)	(169)	(29)	(4)	(53)	(441)	(114)	(102)	(238)	(255)	(6)	(37)	(163)	(120)	(10)	(224)	(16)	(116)	(172)	(240)	(191)	(136)	(23)	(27)	(68)	(98)	(243)	(16)	(5)	(165)	(15)	(51)	(119)	1,300,000	(590)	(503)	(06)	(641)
Column 2	<u>Transaction</u> <u>Description</u>	E	V F	V BA	INI VI	V DD	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	IV IBM	V MOB	VON XON	V BAC	V ARC	V AIG	V PEP	V MRK	V KO	V WMT	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	A HWP	IV GE	IV DOW	V S	IV BEL	IV BMY	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	IV CCI	V.F.	V JNJ	V MCIC	V MOB	IV IBM	V MMM	IV AN	V DD	V KO	W/H TAX DIV ARC FIDELITY CASH RESERVES SBI	VAIG	IV MCD	V PEP	V EK	IV MRK	ASH RESERVES SBI W/H TAX DIV FCRXX	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	V.F.	V INTC	IV BA	Os Al	E E	NOX VI	W GM	IV IBM	V AN
Column 1	<u>Date</u>	3/2/1994 CHECK WIRE		9/1/1994 W/H TAX DIV INTC 9/2/1994 W/H TAX DIV BA		9/12/1994 W/H TAX DIV GM 9/12/1994 W/H TAX DIV DD		9/12/1994 W/H TAX DIV IBM 9/12/1994 W/H TAX DIV MMM			9/12/1994 W/H TAX DIV BAC 9/15/1994 W/H TAX DIV BAC		9/16/1994 W/H TAX DIV AIG 9/16/1994 W/H TAX DIV MCD			10/3/1994 W/H TAX DIV EK 10/3/1994 W/H TAX DIV KO		10/11/1994 FIDELITY C.		ш	10/28/1994 W/H TAX DIV DOW		ш	11/1/1994 W/H TAX DIV BMY 11/1/1994 W/H TAX DIV T		_			12/9/1994 W/H TAX DIV MCI		12/12/1994 W/H TAX DIV IBM				12/15/1994 W/H TAX DIV KO			12/16/1994 W/H TAX DIV MCD		П	1/3/1995 W/H TAX DIV MRK 1/5/1995 W/H TAX DIV WMT	2				3/3/1995 W/H TAX DIV BA			3/10/1995 W/H TAX DIV XON		3/10/1995 W/H TAX DIV IBM	
ŭ		3/2/	9/1/	9/1/	/9/6	9/12	9/12	9/12	9/12	9/12	9/15	9/15	9/16	9/30	10/3	10/3	10/3	1/01	10/1	10/2	10/2	11/1	11/1	M11	11/1	11/1	12/1	12/6	12/5	12/1	12/1	121	12/1	12/1	12/1	12/1	12/1	12/1	1/3/	1/3/	1/3/	1/13	2/13	3/1/	3/1/	3/3/	3/7/	3/9/	3/10	3/10	3/16	3/11

	08	-01	_		_	_		_		56 38			(363)	_	ed	0 P(2/:	18 L0	/14 3-0	1 f :	E 12	Ξη 9	te	re	d (02	/1	8/1 ©	14 ଆଧି	19 (9)	9:2	21		7			hik				(244)	(326)	(104)
Column 12	Full History Cash Withdrawals	00		5		0	9				2.5	2 90	99				D		- 9.					3 3	0.3	(1),	3 6				0.5	4	0	9.6	٠-	(1,5		(1,					28
Column 11	6-Year Cash Withdrawals								٠					•															·										'				
Column 10	2-Year Cash Withdrawals								·		•			•							•								·					, ,									
Column 9	90-Day Preferential Transfers								ľ		•			•							•		•						ľ		•				•								
Column 8	Balance of Principal	3,290,625	3,290,322	3,290,175	3,290,052	3,289,843	3,289,597	3,289,432	5,739,367	5,739,184	5,738,700	5,737,996	5,737,633	5,737,065	6,487,065	6,487,065	6,486,887	6,486,790	6,486,752	8,386,132	8,385,830	8,383,504	8,384,610	8,383,949	8,383,652	8,381,775	8,381,193	8,381,131	8,381,020	8,380,990	8,380,481	8,379,323	8,379,172	10,728,970	10,728,622	10,727,068	10,726,037	10,724,222	10,723,388	15,483,377	15,483,133	15,482,793	15,482,690
Column 7	Transfers of Principal Out					•			٠					•				•					•			•			ľ						•		•					•	
Column 6	Transfers of Principal In					•			٠					•				•			•		•			•			ľ						•		•					•	
Column 5	Cash Withdrawals	(129)	(201)	(141)	(95)	(188)	(246)	(82)	(65)	(82)	(442)	(531)	(363)	(301)			(178)	(50)	(491)	(129)	(302)	(327)	(345)	(432)	(298)	(1,426)	(327)	(62)	(29)	(30)	(233)	(491)	(152)	(202)	(36)	(1,555)	(597)	(1,148)	(834)	<u>.</u> (11)	(244)	(326)	(104)
Column 4	Cash Deposits					•		2.450.000						- 000 003				•		1,900,000			•			•			ľ				2,350,000		•		•		- 000 001	4,760,000		•	
Column 3	Transaction Amount Reported in Customer Statement	(129)	(201)	(141)	(95)	(188)	(246)	(82)	(65)	(82)	(442)	(531)	(363)	(301)	250,000	(250,000)	(178)	(50)	(491)	1,900,000	(302)	(549)	(345)	(432)	(298)	(1,426)	(327)	(62)	(29)	(30)	(233)	(491)	2,350,000	(202)	(36)	(1,555)	(597)	(668)	(834)	4,760,000	(244)	(326)	(104)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV MMM	W/H TAX DIV DD HDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV ARC	W/H TAX DIV PEP W/H TAX DIV AIG	W/H TAX DIV KO	W/H TAX DIV MRK W/H TAX DIV EK	W/H TAX DIV S CHECK WIRE	WH TAX DIV HWP	W/H TAX DIV WM1 W/H TAX DIV C EINETTY CAGU DEGEDVIES GDI W/H TAX DIV ECDVY	WHITAY DIVINA	W/H TAX DIV T	W/H TAX DIV BYM W/H TAX DIV ATT	W/H TAX DIV BEL	CHECK WIND	CANCEL CHECK	W/H TAX DIV CCI W/H TAX DIV DIS	FIGURE OF THE SERVE SBI W/H TAX DIV FOR FCRXX	WH TAX DIV F	W/H IAX DIV BA CHECK WIRE	W/H TAX DIV SO	W/H TAX DIV JNJ W/H TAX DIV MOB	W/H TAX DIV GM	W/H TAX DIV DD	W/H TAX DIV MMM W/H TAX DIV AN	WHI TAX DIV ANN	W/H TAX DIV BAC	W/H TAX DIV AIG	FIDELITY ASH RESERVES SBI W/H TAX DIV FORXX	W/H TAX DIV MCIC W/H TAX DIV PEP	W/H TAX DIV EK	W/H TAX DIV KO	W/H TAX DIV SLB CHECK WIRE	W/H TAX DIV WMT W/H TAX DIV C	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV GE W/H TAX DIV DOW	W/H TAX DIV AIT	W/H IAX DIV BEL W/H TAX DIV T	W/H TAX DIV BMY	CHECK WIKE W/H TAX DIV AIG	W/H TAX DIV AXP FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV CCI	WH TAX DIV DIS WH TAX DIV BA
Column 1	Date	3/13/1995	3/14/1995	3/15/1995	3/31/1995	4/3/1995	4/3/1995	4/3/1995	4/12/1995	4/17/1995	4/25/1995	5/1/1995	5/1/1995	5/1/1995	5/5/1995	5/5/1995	5/17/1995	5/23/1995	6/1/1995	6/6/1995	9/6/1995	6/6/1995	6/12/1995	6/12/1995	6/12/1995	6/12/1995	6/14/1995	6/16/1995	6/19/1995	6/23/1995	7/3/1995	7/3/1995	7/3/1995	7/10/1995	7/19/1995	7/25/1995	8/1/1995	8/1/1995	8/1/1995	8/3/1995	8/10/1995	8/17/1995	8/18/1995 9/1/1995

	08	-0	17	'8	9-	Сĺ	gn	n		D	0	С	5	66	67	'- <u>'</u>	1		F	ile	ed	<u> </u>)2	2/1	18	3/:	14	Ļ		E	nt	e	re	d	0	2	/1	8/	1	4	1	9:	2	1:	:5	7		E	Ξx	h	ib	it	Α					
Column 12 Full History	Cash Withdrawals	(92)	(880)	-	(544)	(404)	(811)	(683)	(23)	(771)	(783)	(664)	(59)	(809)	(155)	(819)	(1,674)	(1 157)	(1,137)	(455)		(49) (202.07	'g	(20)	D E96)	(1,10,0	(1,210) 0 091	(70(4)	1.7	(381)	(481)	(63)	(132)	(1,543)	(098)	- (02)	(8)	(1,483)	(576)	(1,202)	(3.830)	(801)	(169)	(1,198)	(32)	(1.620)	(226)	(2,442)	(781)	(914)	(664)	(1,440)	(9)	(21)	(1,352)	(2,596)	(523)	(06)
Column 11 6-Year	Cash Withdrawals	•										•																						ŀ													ŀ									•		
Column 10 2-Year	Cash Withdrawals	,																																ŀ													ŀ											
Column 9 90-Dav	Preferential Transfers	•																																ŀ																								
Column 8	Balance of Principal	15,482,364	15,481,484	16,280,900	16,280,356	16,279,733	16,278,519	16,277,536	16,277,513	16,274,182	16,273,399	16,272,735	16,272,676	16,271,867	16,271,529	16,270,912	16,269,238	16,268,703	16,267,311	16,266,856	17,066,856	17,066,811	17,064,017	17,061,733	17,060,770	17,059,666	17,058,456	24.356,365	24,355,933	24,355,752	24,355,271	24,355,208	24,334,838	24,353,182	24,352,322	27,552,322	27,552,244	27,550,762	27,550,185	27,548,983	27.544.252	27,543,451	27,542,760	27,541,561	27,541,294	27.539,640	27,539,414	27,536,973	27,536,191	31 535,277	31,534,614	31,533,173	31,533,167	35,983,146	35,981,794	35,979,198	35,978,969	35,978,271
Column 7	Transfers of Principal Out	,																																ŀ													ŀ											
Column 6	Transfers of Principal In	•										•																						ŀ																						•		
Column 5	Cash Withdrawals	(92)	(880)	(102)	(544)	(622)	(811)	(983)	(23)	(2,361)	(783)	(664)	(59)	(809)	(155)	(618)	(1,674)	(1 157)	(1,137)	(455)		(45)	(792)	(1,492)	(963)	(1,104)	(1,210)	(1/0/4)	(432)	(181)	(481)	(63)	(132)	(1,543)	(098)	- (02)	(8)	(1,483)	(929)	(1,202)	(3.830)	(801)	(1691)	(1,198)	(267)	(1.620)	(226)	(2,442)	(781)	(914)	(664)	(1,440)	(9)	(21)	(1,352)	(2,596)	(523)	(06)
Column 4	Cash Deposits	,		800,000																	800,000							7,300,000	000,000,1							3,200,000														4 000 000	- ''		4 450 000	4,420,000				
Column 3 Transaction Amount	Reported in Customer Statement	(92)	(880)	800,000	(544)	(404)	(811)	(683)	(23)	(771)	(783)	(664)	(59)	(809)	(155)	(618)	(1,674)	(333)	(237)	(455)	800,000	(45)	(2,793)	(1,492)	(963)	(1,104)	(1,210)	7.300,000	(432)	(181)	(481)	(63)	(331)	(1,543)	(098)	3,200,000	(8)	(1,483)	(576)	(1,202)	(3.830)	(801)	(169)	(1,198)	(35)	(1.620)	(226)	(2,442)	(781)	4,000,000	(664)	(1,440)	(9)	4,450,000	(1,352)	(2,596)	(529)	(608)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV INTC	W/H TAX DIV F W/H TAX DIV INI	CHECK WIRE	W/H TAX DIV SO	W/H TAX DIV ISM	W/H TAX DIV AN	W/H TAX DIV MOB	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV XON W/H TAX DIV MMM	W/H TAX DIV DD	W/H TAX DIV BAC	W/H TAX DIV ARC	W/H TAX DIV ARC	W/H TAX DIV AIG	W/H TAX DIV PEP	W/H TAX DIV MRK	W/H TAX DIV EN	W/H TAX DIV SLB	W/H TAX DIV WMT	CHECK WIRE	FIDELLLY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV DOW	W/H TAX DIV BMY	W/H TAX DIV NYN	W/H TAX DIV AIT	W/H TAX DIV BEL W/H TAX DIV T	WH IAA BIV I CHECK WIRE	W/H TAX DIV AXP	W/H TAX DIV DIS	W/H TAX DIV CCI	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV BA	W/H TAX DIV F	W/H TAX DIV JNJ	CHECK WIRE W/H TAX DIV MCIC	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV MOB	W/H TAX DIV IBM	W/H TAX DIV AN	W/H TAX DIV XON	W/H TAX DIV MMM	W/H TAX DIV BAC	W/H TAX DIV DD	W/H TAX DIV ARC	W/H TAX DIV KO	W/H TAX DIV AIG	W/H TAX DIV MRK	W/H TAX DIV EK	W/H IAA DIV FEF CHECK WIRE	W/H TAX DIV WMT	W/H TAX DIV C	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV CCI	W/H TAX DIV F	W/H TAX DIV INTC	W/H TAX DIV COL
Column 1	Date									9/12/1995	Ш		9/15/1995					10/2/1995				10/16/1995					11/1/1995			11/17/1995		2	12/1/1995			12/6/1995		12/11/1995		12/11/1995						12/15/1995				0661/7/1			1/18/1996	2			3/1/1996	

	08	-01	78	9-	cg	m		D	0	C !	56	6	7-	1		F	ile	ed	0	2/	/13	8/	14	<u>ا</u> م	10	Er	nte)2	/1	8/	14	11	.9	:2:	1:	57	7	[Ε×	ιh	ib	it .	Α					
Column 12	Cash Withdrawals	(6,422)	(2,571)	(2,036)	(1,558)	(1,987)	(69)	(27)	(002)	(130)	(1,878)	(2,321)	(1,697)	(006)	(764)	(1,130)	(1,454)	(3,938)	(2,877)	(2,15	(1,829)	L C	Q (828)	(1.734)	(428)	29	(105)	(268)	(3,040)	(437)	(3,148)	(1,642)	(1,186)	(1.438)	(398)	(51)	(1,408)	(932)	(3,260)	(089)	(689)	(626)	(1,999)	(0+)	(1,377)	(2,798)	(1,061)	(1,244)	(2,570)	(3,429)	
Column 11	O-Year Cash Withdrawals						٠		•					٠														٠			•						٠													•	
Column 10	Cash Withdrawals						٠																								•																			•	
Column 9	90-Day Preferential Transfers						٠																					٠																						•	
Column 8	Balance of Principal	35,977,272 35,970,850	35,968,279 35,966,100	35,964,065	35,961,099	35,959,112	35,957,610	35,957,583	35,956,705	35,956,574	35,954,500	35,952,179	35,950,481	38,349,581	38,348,816	38,347,620	38,346,166	38,342,228	38,337,035	38,334,878	38,333,048	39,032,033	39,031,205	39,021,104	39,029,002	39,028,681	39,029,002	39,028,629	39,025,589	46,325,153	46,322,004	46,317,774	46,316,588	46,313,681	46,313,845	46,313,499	46,312,092	46,311,160	46,305,401	52,805,401	54,304,712	54,303,733	54,301,734	54,294,704	54,293,327	54,290,529	54,284,625	54,283,381	54.278,519	54,275,090	58,775,090
Column 7	Transfers of Principal Out						٠																								•																				
Column 6	Transfers of Principal In						٠																					٠			•																				
Column 5	Cash Withdrawals	(6,422)	(2,571)	(2,036)	(1,558)	(1,987)	(69)	(27)	(200)	(130)	(1,878)	(2,321)	(1,697)	(006)	(764)	(1,130)	(1,454)	(3,938)	(2,877)	(2,157)	(1,829)	(010,1)	(828)	(1.734)	(428)	(321)	(105)	(268)	(3,040)	(437)	(3,148)	(2,588)	(1,186)	(1.438)	(398)	(51)	(1,408)	(932)	(3,260)	(089)	(689)	(626)	(1,999)	(6,989)	(1,377)	(2,798)	(1,061)	(1,244)	(2,570)	(3,429)	
Column 4	<u>Cash</u> <u>Deposits</u>						٠						2.400.000									700,000						٠	7.300.000	-										6,500,000	1,500,000									- 000 002 1	4,500,000
Column 3	Reported in Customer Statement	(999)	(2,571)	(2,036)	(1,558)	(1,987)	(69)	(27)	(00)	(130)	(1,878)	(2,321)	(1,697)	(006)	(764)	(1,130)	(1,454)	(3,938)	(2,877)	(2,157)	(1,829)	700,000	(828)	(1.734)	(428)	(321)	(105)	(268)	(3,040)	(437)	(3,148)	(1,642)	(1,186)	(1,438)	(398)	(51)	(1,408)	(932)	(3,260)	6,500,000	(689)	(626)	(1,999)	(04)	(1,377)	(2,798)	(1,061)	(1,244)	(2,570)	(3,429)	4,500,000
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV IBM W/H TAX DIV XON	W/H TAX DIV MOB W/H TAX DIV AN	W/H TAX DIV GM W/H TAX DIV BAC	W/H TAX DIV JNJ	W/H TAX DIV DD W/H TAX DIV ARC	W/H TAX DIV MCD	FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX W/H TAX DIV AIG	W/H TAX DIV PEP	W/H TAX DIV S	W/H TAX DIV EN W/H TAX DIV MRK	W/H TAX DIV KO	W/H TAX DIV C CHECK WIRE	W/H TAX DIV WMT	W/H TAX DIV HWP FIDELITY CASH RESERVES SBI W/H TAX DIV ECRXX	W/H TAX DIV GE	W/H TAX DIV DOW	W/H TAX DIV T	W/H TAX DIV BMY	W/H TAX DIV AIT	W/H TAX DIV NYN W/H TAX DIV PNII	CHECK WIRE	W/H TAX DIV AXP	W/H TAX DIV CCI	W/H TAX DIV DIS	W/H TAX DIV AIG	W/H TAX DIV COL	W/H TAX DIV INTC	W/H TAX DIV F CHECK WIRE	W/H TAX DIV BA	W/H TAX DIV MOB	W.H TAX DIV AN	W/H TAX DIV JNJ	W/H TAX DIV BAC	W/H TAX DIV MCD	W/H TAX DIV AIG FIDELITY CASH RESERVES SBI W/H TAX DIV FCRXX	W/H TAX DIV PEP	W/H TAX DIV WMI W/H TAX DIV KO	W/H TAX DIV MRK	CHECK WIRE	W/H TAX DIV SLB CHECK WIRE	W/H TAX DIV HWP	W/H TAX DIV C	W/H TAX DIV GE	W/H TAX DIV DOW	W/H TAX DIV BEL W/H TAX DIV T	W/H TAX DIV EK	W/H TAX DIV PNU	W/H I AX DIV NYN W/H TAX DIV AIT	W/H TAX DIV BMY	CHECK WIRE
Column 1	<u>Date</u>	3/11/1996	3/11/1996	3/11/1996	3/12/1996	3/14/1996	3/15/1996	3/21/1996	2	4/1/1996			4/2/1996	4/8/1996	4/10/1996		ш	5/1/1996		9661/1/9	5/1/1996	5/3/1996	5/10/1996	5/17/1996	5/17/1996	5/21/1996	6/3/1996	6/3/1996	6/3/1996	9641/1/9	6/10/1996	96/10//9	961/11/9	6/12/1996	6/14/1996	6/25/1996	6/28/1996	7/1/1996	7/1/1996	7/3/1996	7/8/1996	2/10/1996	7/15/1996	7/25/1996	7/30/1996	8/1/1996	ш			8/1/1996	

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Exhibit A

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Exhibit A

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Column 12

Column 10

Column 7

Column 6

Column 5

Column 4

Column 3

Column 2

Column 1

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Exhibit A

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Exhibit A

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Column 12	Full History Cash Withdrawals	(23,839)	(12,844)	(19,440) (22,424)	(8,243)	(16,977)	(27,944)	(41)	(30,000,000)	(9,861)	(8,770)	(6,334)	(93,444)	- (46)	(4,838)	(13)	Ā	1 (1,883) 1(6,750)	(34,690	(3,841)	(776,61)	(13,174)	(48,038)	(13,902)	' 6	(8,903)	(9,404)	(79,768)	(13,487)	(61,893)	(49,3/1)	- (186.9)	- (5,004)	(71)		(22)	- (7,665)	(32,077)	(4,856)	(20,719)	(51,536)	(2,875)	(29,552)	(53,000)	(110,378)
Column 11	6-Year Cash Withdrawals																				٠		•													•		•		•				١	
Column 10	2-Year Cash Withdrawals																																					•		•					
Column 9	90-Day Preferential Transfers																																					•		•				٠	
Column 8	Balance of Principal	776,858,713	776,845,826	776,733,646	776,701,105	776,657,856	776,629,913	776,626,192	746,626,175	746,616,315	746,604,856	746,576,496	746,483,052	754,468,602	754,463,730	754,463,717	754,450,514	754,448,631	754,407,185	754,403,344	754,375,851	774,375,851	774,314,639	774,300,631	794,300,631	794,291,726	794,282,321	794,202,547	794,189,060	794,118,118	794,068,747	814,040,113	834,033,832	834,027,857	854,027,857 884,027,857	884,027,835	944,027,835	943,988,093	943,983,236	943,959,753	943,959,747 943,908,211	943,905,336	943,875,784	943,812,544	943,702,165
Column 7	<u>Transfers of</u> <u>Principal Out</u>																																					•		•				٠	
Column 6	Transfers of Principal In													8,000,000																								•		•				٠	
Column 5	<u>Cash</u> Withdrawals	(23,839)	(12,844)	(19,440) (22,424)	(8,243)	(16,977)	(27,944)	(41)	(30) (30) (30) (30)	(9,861)	(8,770)	(6,334)	(93,444)	- (34)	(4,838)	(13)	(46)	(1,883)	(34,690)	(3,841)	(776,61)	(13,174)	(48,038)	(13,902)	- 6	(8,903)	(9,404)	(79,768)	(13,487)	(61,893)	(49,3/1) (28,634)	- (186.9)	- (5 004)	(71)		(22)	(7,665)	(32,077)	(4,856)	(20,719)	(51,536)	(2,875)	(29,552)	(53,000)	(110,378)
Column 4	Cash Deposits																				1 0	20,000,000			20,000,000							20,000,000	20,000,000		30,000,000		000,000,009							٠	
Column 3	Transaction Amount Reported in Customer Statement	(23,839)	(12,84) (92,740)	(19,440) (22,424)	(8,243)	(16,977)	(27,944)	(41)	(10) (30,000,000)	(9,861)	(8,770)	(6,334)	(93,444)	8,000,000	(4,838)	(13)	(46)	(1,883)	(34,690)	(3,841)	(19,977)	20,000,000	(48,038)	(106)	20,000,000	(8,903)	(9,404)	(89,768)	(13,487)	(61,893)	(49,5/1) (28,634)	20,000,000	20,000,000	(71)	30,000,000	(22)	60,000,000 (7,665)	(32,077)	(4,856)	(20,719)	(6) (51,536)	(2,875)	(29,552)	(53,000)	(110,378)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV JNJ FIDELITY SPARTAN 11 S TREASURY MONEY MARKET	WH TAX DIV IBM W/H TAX DIV XOM	WH TAX DIV GM WH TAX DIV DD WH TAX DIV DD	WHITAX DIV PEP	W/H TAX DIV WMT	W/H TAX DIV GE W/H TAX DIV MWD	FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELLIY SPAKIAN US IREASURY MONEY MAKKEI CHECK WIRE	W/H TAX DIV WFC W/H TAX DIV INTC	W/H TAX DIV GM	W/H TAX DIV IBM	W/H TAX DIV XOM W/H TAX DIV JNJ	TRANS FROM 1FN08630 (1FN086)	FIDELLI SPAKIAN US TREASORT MONET MARKET W/H TAX DIV WMT	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV BG	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV TXN W/H TAX DIV MER	W/H TAX DIV C	W/H TAX DIV LU W/H TAX DIV INTC	W/H TAX DIV WFC	CHECK WIRE W/H TAX DIV IBM	W/H TAX DIV XOM	FIDELLIY SPAKIAN U S I KEASUKY MONEY MAKKEI W/H TAX DIV KO	CHECK WIRE W/H TAX DIV AV	W/H TAX DIV WMT	W/H TAX DIV HWP FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV GE	W/H TAX DIV MWD W/H TAX DIV PHA	W/H TAX DIV VZ	W/H TAX DIV T W/H TAX DIV BMY	CHECK WIRE W/H TAX DIV AXP	CHECK WITH	WILLIAM DIV SING FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIRE	FIDELITY SPARTAN US TREASURY MONEY MARKET	CHECK WIKE W/H TAX DIV MWD	W/H TAX DIV VZ	W/H TAX DIV PHA W/H TAX DIV TXN	W/H TAX DIV PG	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV C	W/H TAX DIV LU	W/H TAX DIV WFC	W/H TAX DIV PFE	W/H TAX DIV XOM
Column 1	Date	3/7/2000	3/10/2000	3/10/2000	3/31/2000	4/10/2000	4/25/2000	4/28/2000	5/12/2000	6/1/2000	6/12/2000	6/12/2000	6/12/2000	6/19/2000	7/10/2000	7/18/2000	8/15/2000	8/21/2000	8/25/2000	9/1/2000	9/1/2000	9/8/2000	9/11/2000	10/2/2000	10/3/2000	10/10/2000	10/11/2000	10/25/2000	10/27/2000	11/1/2000	11/1/2000	11/6/2000	11/17/2000	12/18/2000	12/26/2000	ш	1/26/2001	2/1/2001	2/1/2001	2/15/2001	2/22/2001	3/1/2001	3/1/2001	3/8/2001	3/9/2001

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Column 12	Full History Cash Withdrawals	(17,469)	(10)	(3,508)	(12,555)	(20,021)	(23)	(16,386)	(41,205)	(67,304)	(6,089)	(1,436)	(6,793)	(29,257)	(16,647)	(3,612)	(1,618)	(140 021)	(12)	(59,63)	(15,648)	(91.358)	(2,064)	(9,492)	(4)	1.292.8)	(24,181)	(41,651)	(75,763)	(29,441)	(14,742)	(150,520)	(24,629)	(2,303)	(12,229)	(16.123)	(97,708)	(9,965)	(3,544)	(5)	(76,001)	(12,895)	(42,089)	(42,998)	(150,590)	(33,253)	(14)	(9)	(17,463)	(11,827)	(71,057)	(3.362)	(44,587)
Column 11	6-Year Cash Withdrawals									•			•				•			٠			٠							•										•										'			
Column 10	2-Year Cash Withdrawals																													•																				•			
Column 9	90-Day Preferential Transfers																			٠																				•										•			
Column 8	Balance of Principal	943,684,697	943,670,575	943,665,537	943,645,623	943,625,602	943,615,085	943,598,699	943,557,493	943,455,851	943,446,762	943,435,295	943,428,502	943,399,245	943,382,578		943,377,348	943,354,247	943,214,205	943,154,242	943,138,594	943,092,331	942,999,109	942,989,617	942,969,728	942,960,967	942,936,786	942,811,535	942,735,772	942,706,332	942,691,590	942,541,050	942,516,422	942,450,672	942,438,443	942,387,836	942,274,005	942,264,041	942,215,113	942,215,108	942,139,047	942,099,843	942,057,754	942,014,756	941.841.176	941,807,923	941,807,909	941,802,471	941,785,008	941,773,181	941,702,124	941,643,304	941,595,356
Column 7	Transfers of Principal Out																													•												ŀ								•			
Column 6	Transfers of Principal In																													•												ŀ								•			
Column 5	Cash Withdrawals	(17,469)	(10)	(3,508)	(12,555)	(20,021)	(23)	(16,386)	(41,205)	(67,304)	(680,6)	(1,436)	(6,793)	(29,257)	(16,647)	(3,612)	(1,618)	(140 021)	(21)	(59,963)	(15,648)	(46,063)	(2,064)	(9,492)	(4)	(8,762)	(24,181)	(41,651)	(75,763)	(29,441)	(14,/42)	(150,520)	(24,629)	(2,303)	(12,229)	(50,607)	(97,708)	(9,965)	(3,544)	(5)	(76,061)	(12,895)	(45,089)	(42,998)	(150.590)	(33,253)	(14)	(6)	(17,463)	(11,827)	(71,057)	(3.362)	(44,587)
Column 4	Cash Deposits																			٠																				•										•			
Column 3	Transaction Amount Reported in Customer Statement	(17,469)	(10)	(3,508)	(12,555)	(20,021)	(23)	(16,386)	(41,205)	(67,304)	(680)	(10,031)	(6,793)	(29,257)	(16,647)	(3,612)	(1,618)	(140 021)	(21)	(59,963)	(15,648)	(46,063)	(2,064)	(9,492)	(4)	(8,762)	(24,181)	(41,651)	(75,763)	(29,441)	(14, 742) (20)	(150,520)	(24,629)	(2,303)	(12,229)	(50,607)	(802,708)	(9,965)	(3,544)	(5)	(16,061)	(12,895)	(42,089)	(42,998)	(150.590)	(33,253)	(14)	(9)	(17,463)	(11,827)	(71,057)	(3.362)	(44,587)
Column 2	<u>Transaction</u> <u>Description</u>		FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIY HD		Ų.	ı	FIDELITY SPARTAN US TREASURY MONEY MARKET	D						W/H TAX DIV PG FIDELITY SPAPTAN 11S TREASTIRY MONEY MARKET	T		£ (FIDELITY SPARTAN US TREASURY MONEY MARKET						FIDELITY SPARTAN US TREASURY MONEY MARKET					L	W/H IA'S DIV HWF FIDELITY SPARTAN US TREASURY MONEY MARKET		Q							FIDELITY SPARTAN US TREASURY MONEY MARKET							FIDELITY SPARTAN US TREASURY MONEY MARKET	SPARTAN US TREASURY MONEY MARKET					
_		W/H TAX DIV IBM W/H TAX DIV JNJ	FIDELITY SPARTAI W/H TAX DIV HD	W/H TAX DIV PEP	W/H TAX DIV MRK	W/H TAX DIV WMT	FIDELITY SPARTA	W/H TAX DIV MWD	W/H TAX DIV JPM W/H TAX DIV BMY	W/H TAX DIV VZ	W/H TAX DIV T	W/H TAX DIV TYC	W/H TAX DIV AXP	W/H TAX DIV PG	W/H TAX DIV WMT	W/H TAX DIV HWP	W/H TAX DIV XOM	W/H TAX DIV GF	FIDELITY SPARTA	W/H TAX DIV JPM	W/H TAX DIV PHA	W/H TAX DIV VZ	W/H TAX DIV TYC	W/H TAX DIV AXP	FIDELITY SPARTA	W/H TAX DIV HD	W/H TAX DIV PEP	W/H TAX DIV KO	W/H TAX DIV MRK	W/H TAX DIV WMT	FIDELITY SPARTA	W/H TAX DIV GE	W/H TAX DIV MWD	W/H TAX DIV TYC	W/H TAX DIV T	W/H TAX DIV PHA	W/H TAX DIV VZ	W/H TAX DIV AXP		FIDELITY SPARTA	W/H TAX DIV C	W/H TAX DIV INTC	W/H TAX DIV WFC	W/H TAX DIV PFE				FIDELITY SPARTA	W/H TAX DIV MWD	W/H TAX DIV PHA	W/H TAX DIV VZ		
Column 1	Date	3/12/2001	3/19/2001	3/30/2001	4/2/2001	4/9/2001	4/24/2001	4/27/2001	4/30/2001	5/1/2001	5/1/2001	5/2/2001	5/10/2001	5/15/2001	7/9/2001	7/11/2001	7/11/2001	7/25/2001	7/25/2001	7/31/2001	8/1/2001	8/1/2001	8/1/2001	8/10/2001	8/24/2001	9/13/2001	9/28/2001	10/1/2001	10/1/2001	10/9/2001	10/15/2001	10/25/2001	10/26/2001	11/1/2001	11/1/2001	11/1/2001	11/1/2001	11/9/2001	11/19/2001	11/19/2001	12/3/2001	12/3/2001	12/3/2001	12/6/2001	12/10/2001	12/14/2001	12/31/2001	1/10/2002	1/25/2002	2/1/2002	2/1/2002	2/11/2002	2/15/2002

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Column 12	Full History Cash Withdrawals	(18)	(12,544)	(1)	(21,902)	(143,577)	(31,229)	(32,853)	(4,553)	(11,143)	(13,040)	(48,381)	(24,190)	(120,952)	(32,354)	(11)	(24.387)	(6,715)	(65,231)	(101,855)	(12.82	(2,443)	(52,718	(5)	O5,100	(49,647)	(7,042)	(89,331)	(28,542)	(12,594)	(170,666)	(28,441)	(9)	(6,663)	(2)	(31,822)	(0)	(4,442)	(12,123)	(2,507)	(3,008)	(9,567)	(16,303)	(5,066)	(3)	(132,031)	(01)	(66,753)	(23,244)	(113,699)	(19,526)	(214,848)	(27,751)	(9)	(35,109)
Column 11	6-Year Cash Withdrawals							•																											•						٠								٠						
Column 10	2-Year <u>Cash</u> Withdrawals																																							. ,				ŀ											
Column 9	90-Day Preferential Transfers																																		٠									ŀ											
Column 8	Balance of Principal	941,595,338	941,508,446	941,467,770	941,371,304	941,227,727	941,180,465	941,147,611	941,143,058	941,092,166	941,079,126	941,030,746	940,928,993	940,808,041	940,775,687	940,775,676	940,675,622	940,668,907	940,603,677	940,501,821	940,400,835	940,398,392	940,345,674	940,328,782	940,303,671	940,254,024	940,246,982	940,106,350	940,077,808	940,065,214	939,870,044	939,841,603	939,841,597	939,820,918	939,814,253	939,782,431	939,781,131	939,776,689	939,764,567	939,746,416	939,743,408	939,733,841	939,713,336	939,708,689	939,708,686	939,576,655	939,5 /6,645	939,491,323	939,468,078	939,354,379	939,334,854	939.096,762	939,069,011	939,069,005	939,033,896
Column 7	Transfers of Principal Out																																											ŀ											
Column 6	Transfers of Principal In																																		٠									ŀ					٠						
Column 5	Cash Withdrawals	(18)	(12,544)	(1)	(21,902)	(143,577)	(31,229)	(32,853)	(4,553)	(11,143)	(13,040)	(48,381)	(24,190)	(120,952)	(32,354)	(11)	(75,067)	(6,715)	(65,231)	(101,855)	(12.825)	(2,443)	(52,718)	(16,892)	(25,106)	(49,647)	(7,042)	(89,331)	(28,542)	(12,594)	(24.505)	(28,441)	(9)	(6,683)	(2)	(31,822)	(0)(0)	(4,442)	(12,123)	(2,507)	(3,008)	(9,567)	(10,303)	(5,066)	(3)	(132,031)	(18 570)	(66,753)	(23,244)	(113,699)	(19,526)	(214,848)	(27,751)	(9)	(35,109)
Column 4	Cash Deposits																																																						
Column 3	Transaction Amount Reported in Customer Statement	(18)	(12,544) (40,675)	(1)	(21,902)	(143,577)	(31,229)	(32,853)	(4,553)	(11,143)	(13,040)	(48,381)	(24,190)	(120,952)	(32,354)	(11)	(75,687)	(6,715)	(65,231)	(101,855)	(12.825)	(2,443)	(52,718)	(16,892)	(25,106)	(49,647)	(7,042)	(89,331)	(28,542)	(12,594)	(24.505)	(28,441)	(9)	(50,680)	(2)	(31,822)	(0)	(4,442)	(12,123)	(2,507)	(3,008)	(9,567)	(1833)	(2,066)	(3)	(132,031)	(01)	(66,753)	(23,244)	(113,699)	(19,526)	(214,848)	(27,751)	(9)	(35,109)
Column 2	Transaction <u>Description</u>	FIDELITY SPARTAN US TREASURY MONEY MARKET WHITAX DIV C	W/H TAX DIV INTC	FIDELITY SPARTAN US TREASURY MONEY MARKET WAT TAX DAY DEE	W/H TAX DIV IBM	W/H TAX DIV XOM	W/H TAX DIV JNJ	W/H TAX DIV DD	W/H TAX DIV AIG	W/H TAX DIV HD	W/H TAX DIV ONE	W/H TAX DIV KO	W/H TAX DIV PEP	W/H TAX DIV MO	W/H TAX DIV WMT	FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV MWD	W/H TAX DIV MDT	W/H TAX DIV JPM	W/H TAX DIV VZ	W/H TAX DIV T	W/H TAX DIV TYC	W/H TAX DIV BMY	W/H TAX DIV PHA FIDELITY SPARTAN TIS TREASHRY MONEY MARKET	W/H TAX DIV PG	W/H TAX DIV C	W/H TAX DIV INTC	W/H TAX DIV PFE	W/H TAX DIV IBM	W/H TAX DIV BUD	W/H TAX DIV XOM	W/H TAX DIV DD	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MO	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV GE	WALLIAY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MWD	W/H TAX DIV JPM	W/H TAX DIV T	W/H TAX DIV PHA	W/H TAX DIV BMY	W/H TAX DIV AXP	W/H TAX DIV TXN	W/H TAX DIV MON	W/H TAX DIV C	FIDELLIY SPAKTAN USTREASURY MONEY MARKET WH TAX DIVINTE	W/H TAX DIV WFC	W/H TAX DIV G	W/H TAX DIV PFE	W/H TAX DIV BA W/H TAX DIV BID	W/H IAX DIV BOD W/H TAX DIV XOM	W/H TAX DIV JNJ	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV IBM
Column 1	<u>Date</u>	2/21/2002	3/1/2002	3/6/2002	3/11/2002	3/11/2002	3/12/2002	3/14/2002	3/15/2002			4/1/2002	4/1/2002	4/10/2002	4/18/2002	4/23/2002			4/30/2002		5/1/2002	5/1/2002	5/1/2002	5/1/2002			6/3/2002		6/10/2002	6/10/2002	6/11/2002	6/12/2002	6/25/2002	7/15/2002	ш			7/26/2002	2007/1//	8/1/2002	Ш			8/19/2002	8/19/2002	8/23/2002	8/26/2002	9/3/2002	П		9/6/2002	2		9/10/2002	9/10/2002

0	3-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash Withdrawals	(47,444) (7,909) (7,909) (27,438) (2,807) (69,569) (4,344) (8) (8)	(19,458) (19,555) (1) (1) (12,120) (12,120) (19,816) (19,816) (19,816) (14,612) (14,612) (14,612)	(12,83) (12,83) (17,02) (21,283) (21,283) (12,164) (13,164) (13,164) (13,164) (13,164) (13,164) (13,164) (13,164)	(6.244) (16.344) (16.344) (17.229) (17.229) (18.623) (19.63) ((16.390) (26.88) (12.688) (17.508) (24.650) (35.950) (17.283) (17.283) (17.283) (18.085) (67.909)
Column 11 6-Year Cash Withdrawals		(13,24) (13,24) (19,53) (19,53) (12,12,02) (19,810) (19,810) (14,612) (44,612) (44,612)	(12.83.2) (10.45.5) (17.02.9) (2.12.83) (2.12.83) (15.44.81) (12.16.2) (4.481) (12.16.2) (4.481) (12.16.2) (4.481) (12.16.2) (13.06.4) (6.57.4)	(16,711) (6,5449) (16,318) (17,229) (18,5623) (18,793) (13,793) (13,793) (13,793) (13,793) (23,189) (23,189) (23,189) (23,189) (23,189) (23,189) (34,27) (34,27) (13,449) (13,78) (13,	(16.390) (26.897) (106.179) (106.179) (71.726) (24.656) (35.956) (15.130) (17.283) (11.8.085) (67.909) (67.909)
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	938,986,453 938,978,521 938,978,521 938,971,83 938,871,307 938,878,307 938,873,913 938,873,913	938,843,495 938,832,204 938,832,247 938,812,247 938,815,878 938,674,876 938,674,860 938,673,982 938,661,594 938,661,594	938,565,544 938,555,089 938,555,087 938,536,087 938,536,087 938,382,678 938,382,678 938,376,197 938,370,396 938,370,396	937,975,120 937,975,120 937,959,334 937,938,337 937,838,916 937,645,203 937,645,203 937,645,305 937,548,809 937,341,367 937,342,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,805 937,344,387 937,344,388	937,146,539 937,119,642 936,937,885 936,861,129 936,805,517 936,805,517 936,790,387 936,790,387 936,520,389 936,520,859 936,6520,859
Column 7 Transfers of Principal Out					
Column 6 Transfers of					
Column 5 Cash Withdrawals	(47,444) (22) (7,909) (27,438) (2,807) (69,969) (4,984) (4,394) (10,952)	(19,458) (12.91) (7,955) (1) (6,369) (121.202) (19,816) (879) (14,612) (44,612) (44,612) (44,612)	(12,832) (10,453) (10,453) (17,029) (21,283) (22,453) (16,643) (12,162) (12,162) (12,162) (12,162) (14,81) (12,162) (16,639) (13,064) (13,064)	(16,318) (6,349) (16,318) (10,722) (17,722) (18,623) (18,623) (19,763) (19,763) (19,763) (20,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (21,189) (22,189) (23,189) (23,189) (24,27) (24,27) (25,89) (26,89) (27,89	(16.390) (26.897) (10.608) (71.266) (71.266) (35.956) (13.956) (17.283) (17.283) (17.283) (17.283) (18.083) (67.909) (67.909) (67.909)
Column 4 Cash Denosits					
Column 3 <u>Transaction Amount</u> <u>Reported in</u> Customer Statement	(47,444) (22) (7,909) (27,488) (27,488) (2,807) (69,969) (4,394) (4,394) (10,952)	(19,488) (13,291) (7,985) (1) (10,202) (19,816) (19,816) (19,816) (19,416) (13,456) (44,612) (44,612)	(12,832) (10,455) (10,455) (17,029) (21,283) (72,453) (12,162) (12,162) (12,162) (12,162) (12,162) (12,162) (13,064) (13,064) (13,064)	(16,318) (16,318) (16,318) (17,229) (17,229) (18,623) (13,765) (19,778) (10,778)	(16,390) (26,897) (16,179) (17,1786) (71,786) (15,180) (15,180) (17,283) (11,283) (11,283) (11,283) (11,283) (11,283) (11,283) (11,283) (11,283) (11,283) (11,283)
Column 2 Transaction Description	N USTI	IV DD IV BUD IV BUD IV BUT IV BUT IV UTX IV UTX IV XOM IV IBM IV IGA IV G IV G IV G IV CA IV G IV G IV G IV FE IV WEC	IV JNJ IV JNJ PARTAN US TREASURY MONEY MARKET PARTAN US TREASURY MONEY MARKET IV MWD IV MWD IV TRA IV SBC IV SBC IV TXN IV TR IV PG IV PE	WH TAX DIV MER WH TAX DIV WER WH TAX DIV WEC WH 1/3103G WH TAX DIV SOM WH TAX DIV WOR WH TAX DIV WOR HOBELTY SPARTAN U S TREASURY MONEY MARKET FIDELLTY SPARTAN U S TREASURY MONEY MARKET FIDELLTY SPARTAN U S TREASURY MONEY MARKET FIDELLTY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV MER HOBELTY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV MER WH TAX DIV MER WH TAX DIV WEC	WH TAX DIV BUD WH TAX DIV BUD WH TAX DIV IBM WH TAX DIV UTX WH TAX DIV UTX WH TAX DIV DIV INI WH TAX DIV MM WH TAX DIV MM WH TAX DIV MM WH TAX DIV MB WH TAX DIV BE THELITY SPARTAN USTREASURY MONEY MARKET WH TAX DIV HD WH TAX DIV PEP WH TAX DIV PEP WH TAX DIV PEP WH TAX DIV PEP
Column 1 Date	20 20 20 20 20 20 20 20 20 20 20 20 20 2				69/2003 WH TAX DIV BUD 6/10/2003 WH TAX DIV IBM 6/10/2003 WH TAX DIV IBM 6/10/2003 WH TAX DIV IDM 6/12/2003 WH TAX DIV ND 6/12/2003 WH TAX DIV ADD 6/22/2003 WH TAX DIV ADD 6/22/2003 WH TAX DIV ADD 6/22/2003 WH TAX DIV HD 6/23/2003 WH TAX DIV BAC 6/30/2003 WH TAX DIV MR AT TAX DIV ADD 7/11/2003 WH TAX DIV MR AT TA

	08	-01	L78	89)-C	gr	n		D	00) 5	56	67	7-:	1				1		2/	18	3/:	14	F 1	E	- n	te					18			19	9:2	21	:5	7		E	Ξx	hi	bi	t /	4				
Column 12	Full History Cash Withdrawals	(30,601)	(10,507)	(22,898)	(30,268)	(3)	(29,141)	(145,391)	(67,258)	(15,204)	(208,162)	(16,894)	(13,198)	(15,052)	(83,921)	(10,0/3)	(10,016)	(20,906)	(0)	D(860,2E)	(25,209)	(3.E)	(47,467	(25,697)	(27,472)	(50,977)	(22,992)	(132,202)	(20,354)	(27,286)	(77,083)	(211,900)	(71,316)	(13,679)	(15)	(220,797)	(61,280)	(16,283)	(142,228)	(19,560)	(21,667)	(19,150)	(203,327)	(17.267)	(42,130)	(6)	(7,198)	(10,229)	(6,441)	(37 034)	(0)
Column 11	6- <u>Year</u> <u>Cash</u> Withdrawals	(30,601)	(10,507)	(22,898)	(30,268)	© ©	(29,141)	(145,391)	(67,258)	(15,204)	(4,197)	(16,894)	(13,198)	(15,052)	(83,921)	(12)	(10,010)	(20,906)	(192,052)	(32,098)	(25,203)	(31)	(47,467)	(25,697)	(27,472)	(50,977)	(22,992)	(132,202)	(20,354)	(27,286)	(88,018)	(211,900)	(71,316)	(13,679)	(15)	(220,797)	(61,280)	(16,283)	(142,228)	(19,560)	(21,667)	(19,150)	(203,327)	(17.267)	(42,130)	(9)	(7,198)	(10,229)	(6,441)	(37 034)	(0)
Column 10	2-Year Cash Withdrawals													•			•			•					٠											•															
Column 9	90-Day Preferential Transfers				٠																									•						٠													•		
Column 8	Balance of Principal	936,423,416	936,395,725	936,372,827	936,178,726	936,178,723	936,149,578	936,004,187	935,814,979	935,799,774	935.587.415	935,570,521	935,557,323	935,456,748	935,372,827	935,353,941	935,343,925	935,323,019	935,130,967	935,098,869	935,073,666	935,067,087	935,019,589	934,993,893	934,934,137	934,883,159	934,852,705	934,720,503	934,700,146	934,672,860	934,595,777	934,295,861	934,224,545	934,206,291	934,206,276	933,966,791	933,905,511	933,795,668	933,653,439	933,633,879	933,525,545	933,506,396	933,303,069	933.252.535	933,210,405	933,210,396	933,196,094	933,185,865	933,167,987	933,167,987	933,130,953
Column 7	Transfers of Principal Out				٠									•			•			•										•						١															
Column 6	Transfers of Principal In				٠																					•				•																			•		
Column 5	Cash Withdrawals	(30,601)	(10,507)	(22,898)	(30,268)	© ©	(29,141)	(145,391)	(67,258)	(15,204)	(4,197)	(16,894)	(13,198)	(15,052)	(83,921)	(18,8/3)	(10,016)	(20,906)	(192,052)	(32,098)	(25,203)	(31)	(47,467)	(32,284)	(27,472)	(50,977)	(22,992)	(132,202)	(20,354)	(27,286)	(88 016)	(211,900)	(71,316)	(13,679)	(15)	(220,797)	(61,280)	(16,283)	(142,228)	(19,560)	(21,667)	(19,150)	(203,327)	(17.267)	(42,130)	(9)	(7,198)	(10,229)	(6,441)	(37 (34)	(0)
Column 4	<u>Cash</u> <u>Deposits</u>				٠																															٠															
Column 3	Transaction Amount Reported in Customer Statement	(30,601)	(10,507)	(22,898)	(30,268)	(3)	(29,141)	(145,391)	(67,258)	(15,204)	(4,197)	(16,894)	(13,198)	(15,052)	(83,921)	(16,8/3)	(10,016)	(20,906)	(192,052)	(32,098)	(25,203)	(31)	(47,467)	(32.284)	(27,472)	(50,977)	(22,992)	(132,202)	(5)	(27,286)	(88 016)	(211,900)	(71,316)	(13,679)	(15)	(220,797)	(61,280)	(16,283)	(142,228)	(19,560)	(21,667)	(19,150)	(203,327)	(17.267)	(42,130)	(6)	(7,198)	(10,229)	(6,441)	(0)	(0)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV ONE	W/H TAX DIV SLB	DIV WMT	W/H TAX DIV HPQ	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MWD	DIV SBC	DIV PG	DIV CL	W/H TAX DIV C	DIV MER	W/H TAX DIV WFC	W/H TAX DIV INTC	DIV PFE	W/H I AZ DIV U FIDELITY SPARTAN US TREASURY MONEY MARKET	DIV BA	DIV BUD	W/H TA'S DIV XOM FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV IBM	DIV DD	WILLIAM DIV AND FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV BAC	W/H TAX DIV PEP W/H TAX DIV MRK	DIV ONE	W/H TAX DIV KO	DIV VIA:B	DIV MO	FIDELLIY SPAKIAN US IKEASUKY MONEY MAKKEI W/H TAX DIV MWD	W/H TAX DIV SBC	W/H TAX DIV VZ	W/H TAX DIV MSFT	W/H TAX DIV PG W/H TAX DIV TXN	DIV GS	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV MER	DIV C	W/H TAX DIV MCD	W/H TAX DIV INTC	DIV PFE	DIV G	W/H TAX DIV BUD	DIV UTX	W/H TAX DIV XOM	W/H TAX DIV MMM	DIV DD	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV ONF	DIV PEP	W/H TAX DIV WMT W/H TAX DIV DIS	DIV HPQ	SPARTAN US TREASURY MONEY MARKET DIV MO	FIDELITY SPARTAN US TREASURY MONEY MARKET
Column 1	Date			7/7/2003 W/H TAX 7/8/2003 W/H TAX	ш	7/10/2003 FIDELITY 7/21/2003 FIDELITY		8/1/2003 W/H TAX DIV SBC 8/1/2003 W/H TAX DIV VZ			8/22/2003 W/H TAX		9/2/2003 W/H TAX DIV WF		9/4/2003 W/H TAX DIV PFE				9/10/2003 WH LAX 9/10/2003 FIDELITY		9/12/2003 W/H TAX DIV DD			9/30/2003 W/H TAX DIV PEP 10/1/2003 W/H TAX DIV MRI	ш	10/1/2003 W/H TAX			10/14/2003 FIDELITY 10/31/2003 W/H TAX		11/3/2003 W/H TAX DIV SB 11/3/2003 W/H TAX DIV VZ		11/14/2003 W/H TAX 11/17/2003 W/H TAX		11/25/2003 FIDELITY 11/26/2003 W/H TAX	ш	12/1/2003 W/H TAX			12/5/2003 W/H TAX DIV G 12/9/2003 W/H TAX DIV INI			12/10/2003 W/H TAX DIV XON 12/10/2003 W/H TAX DIV IBM		ш	12/31/2003 FIDELITY 1/2/2004 W/H TAX		1/5/2004 W/H TAX 1/6/2004 W/H TAX		1/8/2004 FIDELITY SPARTA	+

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08	-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash Withdrawals	(11,746) (46,729) (45,271) (70,835) (12,934) (18,267) (18,267) (240,788) (8,739) (18,552)	(15,880) (16,523) (20,530) (20,530) (11,52) (19,815) (19,818) (21,818) (21,818) (21,818) (21,818) (21,818)	(25,035) (19,225) (19,225) (19,225) (19,205) (13,004) (19,004) (19,004) (19,004) (19,004) (19,004) (19,004) (19,004) (19,004)	(44.21 g) (98.348) (98.848) (15.039) (20.4822) (16.018) (16.018) (16.849) (17.348) (16.8829) (16.8829) (17.348) (16.8829) (17.348) (16.8829) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348) (17.348)	(24.567) (25.145) (25.145) (20.521) (13.561) (13.561) (19.828) (19.828) (19.4.06) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106) (19.106)
Column 11 6-Year Cash Withdrawals	(11,746) (46,729) (45,71) (70,835) (12,974) (18,267) (240,788) (88,739) (18,552)	(15,880) (150,23) (150,23) (20,550) (31,552) (11,443) (21,185) (21,185) (31,542) (11,443) (21,185) (31,852) (31,852) (31,852) (32,818)	(0) (25,035) (19,225) (19,225) (94,833) (96,88) (13,721) (4,239) (18,535) (13,164) (240,118) (24	(44219) (18,348) (88,348) (18,348) (15,039) (20,4732) (20,4732) (40,546) (41,546) (41,548) (73,135) (23,047) (73,135) (27,051) (73,07) (10,0474)	(24.567) (23.145) (23.240) (30.521) (13.561) (18.035) (19.828) (19.828) (19.445) (10.828) (10.828) (10.828) (10.828) (10.828) (10.828) (10.828)
Column 10 2-Year Cash Withdrawals					
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	933,119,207 933,072,478 933,027,007 932,943,398 932,943,398 932,684,343 932,585,605 932,585,428	932,530,996 932,388,473 932,297,497 932,276,947 932,245,396 932,013,580 932,011,38 932,019,952 931,979,944	931,979,941 931,979,941 931,935,681 931,840,847 931,670,741 931,667,741 931,667,742 931,647,907 931,647,907 931,634,624 931,394,624 931,394,624 931,394,624 931,274,583 931,274,583	931,061,550 930,942,349 930,942,349 930,942,349 930,642,560 930,643,660 930,650,466 930,699,20 930,699,20 930,699,20 930,699,240 930,699,240 930,699,240 930,699,240 930,699,240 930,699,240 930,699,240 930,699,240 930,249,343 930,242,333 930,242,333 930,242,333 930,142,184 930,142,184	930,010,143 929,944,998 929,745,689 929,695,169 929,695,167 929,695,744 929,493,744 929,286,193 929,268,122 929,268,122 929,268,122 929,268,122 929,268,122
Column 7 Transfers of Principal Out					
Column 6 Transfers of Principal In					
Column 5 Cash Withdrawals	(11,746) (46,729) (45,271) (76,835) (12,974) (18,567) (240,788) (88,739) (30,177) (18,552)	(15,880) (180,23) (180,23) (20,530) (19,52) (19,815) (11,443) (21,185) (39,958)	(0) (25,035) (19,225) (94,833) (94,833) (94,833) (13,721) (4,299) (13,721) (14,299) (13,721) (14,299) (13,721) (14,299) (13,721) (14,299) (13,721) (14,299)	(4,219) (98,348) (98,348) (18,039) (20,822) (12,891) (12,891) (12,891) (12,891) (13,348) (13,348) (13,135) (23,471) (16,879) (27,651) (28,791) (27,651) (38) (110,474) (110,474)	(24.567) (25.345) (25.345) (20.521) (13.561) (10.523) (10.523) (10.423) (10.445) (194.106) (10.623) (10.623) (10.623)
Column 4 Cash Deposits					
Column 3 Transaction Amount Reported in Customer Statement	(11,746) (45,729) (45,271) (70,835) (12,974) (18,267) (240,788) (88,739) (18,552)	(15.880) (150,233) (150,234) (20,580) (31,552) (11,543) (11,443) (21,185) (21,185) (39,58)	(9) (25,035) (19,225) (19,225) (94,833) (96,386) (35,721) (4,229) (18,335) (13,164) (240,118) (240,118) (240,118) (14,972) (14,972) (18,825)	(44,219) (18) (98,348) (98,348) (15,039) (20,821) (36,018) (12,891) (12,891) (12,891) (12,891) (12,891) (12,891) (13,891) (13,891) (13,891) (13,941) (10,474)	(24,567) (234,45) (239,309) (239,309) (30,21) (13,561) (13,561) (13,561) (13,561) (13,61) (13,61) (14,106) (10,61) (10
Column 2 <u>Transaction</u> <u>Description</u>	WH TAX DIV MWD WH TAX DIV WZ WH TAX DIV VZ WH TAX DIV BG WH TAX DIV BG WH TAX DIV BG WH TAX DIV BC WH TAX DIV WEC WH TAX DIV WEC WH TAX DIV WEC WH TAX DIV WEC	W/H TAX DIV BA WH TAX DIV PEE WH TAX DIV PEE WH TAX DIV SIV WH TAX DIV UX WH TAX DIV UX WH TAX DIV DIV HITAX DIV HIT	HDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DUN WWD WH TAX DUN SBC WH TAX DUN VZ WH TAX DUN VZ WH TAX DUN VZ WH TAX DUN TXN WH TAX DUN TXN WH TAX DUN GS WH TAX DUN GS WH TAX DUN WFC WH TAX DUN WFC WH TAX DUN WFC WH TAX DUN PFE WH TAX DUN PFE WH TAX DUN PFE WH TAX DUN PFE	WH TAX DIV WMT HDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV DIV WH TAX DIV UTX WH TAX DIV BM WH TAX DIV BM WH TAX DIV BM WH TAX DIV BM WH TAX DIV DIV WH TAX DIV PP WH TAX DIV PP WH TAX DIV PP WH TAX DIV PP WH TAX DIV WO WH TAX DIV WO WH TAX DIV WO WH TAX DIV WO WH TAX DIV WA WH TAX D	WH TAX DIV HD WH TAX DIV HD WH TAX DIV AIG WH TAX DIV AIG WH TAX DIV PEP WH TAX DIV VIA.B WH TAX DIV WO WH TAX DIV WE WH TAX DIV WE WH TAX DIV WE
Column 1	1/30/2004 W/ 2/2/2004 W/ 2/17/2004 W/ 2/27/2004 W/ 2/27/2004 W/ 3/1/2004 W/ 3/1/2004 W/ 3/1/2004 W/ 3/1/2004 W/ 3/1/2004 W/	4 4 4 4 4	4 4 4 4 4 4 4	4444444 444 444	9/162004 W/ 9/176004 W/ 9/176004 W/ 9/242004 W/ 9/302004 W/ 10/12004 W/ 10/12004 W/ 10/12004 W/ 11/32004 W/ 11/32004 FIII

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Column 12	Full History Cash Withdrawals	(51,253)	(16,458)	(31,269)	(85)	(2)	(17,679)	(5,380)	(284,046)	(103,289)	(20,245)	(09)	(105,707)	(24,973)	(36,695)	(108,27)	(42,81 4)	(41,053)	(226,787)	(49,493)	(66,785)	(15,063)	(148,322)	(289,646)	(44)	(8,897)	(31,049)	(27)	(173,447)	(42,313)	(11,392)	(78,116)	(22,391)	(143,811)	(359)	(5)	(29,677)	(83,350)	(214,916)	(170)	33	(223,511)	(26,402)
Column 11	6-Year Cash Withdrawals	(51,253)	(16,458)	(31,269)	(85)	(2)	(17,679)	(5,380)	(284,046)	(103,289)	(20,245)	(09)	(105,707)	(24,973)	(36,695)	(108,271)	(42,811)	(41,055)	(226,787)	(49,493)	(66,785)	(15,063)	(148,322)	(36)	(44)	(8,897)	(12,738)	(27)	(173,447)	(42,313)	(11,392)	(78,116)	(22,391)	(143,811)	(359)	(5)	(29,677)	(83,350)	(214,916)	(170)	393	(223,511)	(26,402) (133,320)
Column 10	2-Year Cash Withdrawals																																										
Column 9	90-Day Preferential Transfers																																						٠				
Column 8	Balance of Principal	929,190,696	929,042,962	928,978,582	928,798,287	928,763,083	928,745,389	928,737,767	928,453,721	928,332,311	928,248,870	928,223,328	928,117,621	927,914,043	927,847,449	927,522,066	927,479,255	927,394,596	927,140,627	927,091,134	926,921,060	926,905,997	926,742,749	926,742,693	926,453,003	926,425,404	926,412,666	926,381,589	926,187,343	926,145,030 926,085,073	926,073,681	925,974,526	925,952,135	925,795,733	925,573,628	925,573,623	925,538,990	925,455,640	925,210,512	925,210,342 925,210,341	925,210,340	924,986,826	924,960,424 924,827,103
Column 7	Transfers of Principal Out																	•																					٠				
Column 6	Transfers of Principal In																	•																					٠				
Column 5	Cash Withdrawals	(51,253)	(16,458)	(31,269)	(85)	(2)	(17,679)	(5,380)	(284,046)	(103,289)	(20,245)	(09)	(105,707)	(24,973)	(36,695)	(108,271)	(42,811)	(41,055)	(226,787)	(49,493)	(66,785)	(15,063)	(148,322)	(289,646)	(44)	(8,897)	(12,738)	(27)	(173,447)	(42,313)	(11,392)	(78,116)	(22,391)	(143,811)	(359)	(5)	(29,677)	(83,350)	(214,916)	(170)	393	(223,511)	(26,402) (133,320)
Column 4	Cash Deposits																																										
Column 3	Transaction Amount Reported in Customer Statement	(51,253)	(15,1,2,70) (16,458) (33,110)	(31,269)	(35.201)	(2)	(17,679)	(5,380)	(284,046)	(103,289)	(20,245)	(69)	(105,707)	(24,973)	(36,695)	(108,271)	(42,811)	(41,055)	(226,787)	(49,493)	(66,785)	(15,063)	(148,322)	(36)	(44)	(8,897)	(12,738)	(27)	(173,447)	(42,313)	(11,392)	(78,116)	(22,391)	(143,811)	(359)	(5)	(29,677)	(83,350)	(214,916)	(170)	(E) (S)	(223,511)	(26,402) (133,320)
Column 2	Transaction Description	W/H TAX DIV WFC	WHITAX DIV HE WH TAX DIV BA WH TAX DIV NI	W/H TAX DIV IBM W/H TAX DIV XOM	FIDELITY SPARTAN U S TREASURY MONEY MARKET WHITAX DIV DD	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV WMT	W/H TAX DIV TXN W/H TAX DIV GS	W/H TAX DIV C	WH TAX DIV WELL WH TAX DIV INTE	W/H TAX DIV G	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV JNJ W/H TAX DIV PFE	W/H TAX DIV BUD W/H TAX DIV ITX	WH TAX DIV IBM	W/H TAX DIV MSFT	W/H TAX DIV MMM W/H TAX DIV DD	W/H TAX DIV AIG	W/H IAX DIV HD W/H TAX DIV BAC	W/H TAX DIV PEP W/H TAX DIV MRK	W/H TAX DIV KO	W/H TAX DIV VIA.B W/H TAX DIV HPO	W/H TAX DIV MO	FIDELLIY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV GE	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV WMT	WILL TAX DIV WALL	W/H TAX DIV MMM W/H TAX DIV AIG	FIDELITY SPARTAN US TREASURY MONEY MARKET WITH TAX DIV HD	W/H TAX DIV BAC	W/H TAX DIV PEP W/H TAX DIV KO	W/H TAX DIV VIA.B	W/H TAX DIV ALL W/H TAX DIV MRK	W/H TAX DIV HPQ W/H TAX DIV SLB	W/H TAX DIV MO	WH TAX DIV OF FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV PEP	W/H TAX DIV KO W/H TAX DIV HPO	W/H TAX DIV MO	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN II STREASURY MONEY MARKET	WHY TAX DIV GET	W/H TAX DIV MWD W/H TAX DIV PG
Column 1	Date	12/1/2004	12/3/2004	12/10/2004	12/13/2004	12/16/2004	1/3/2005	2/14/2005	2/25/2005	3/1/2005	3/4/2005	3/7/2005	3/8/2005	3/9/2005	3/10/2005	3/10/2005	3/14/2005	3/18/2005	3/28/2005	3/31/2005	4/1/2005	4/1/2005	4/11/2005	4/13/2005	5/23/2005	6/10/2005	6/13/2005	6/20/2005	6/24/2005	6/30/2005	7/1/2005	7/1/2005	7/6/2005	7/11/2005	9/8/2005	9/12/2005	9/30/2005	10/3/2005	10/11/2005	10/12/2005	10/14/2005	10/25/2005	10/31/2005

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Exhibit A

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	08	-01	L78	39-	cg	m		D	oc	5	66	67-	-1					02	2/1	18.	/1	4	11			ere	ed	0	2/	18	3/1	.4	19	9:2	21	:5	7	[Ε×	κh	ibi	it A	4				
Column 12	Full History Cash Withdrawals	(1)	(81,434)	(3)	(29,148)	(213,530)	(20,000,000)	(335,206)	(9)	(14,409)	(36,555)	(161,310)	(10)	(8)	(129,409)	(56,581)	(10,000,000)	(21,604)	(19,744)	(309,589)	(46) (46)	73,673	(30,603)	(53,158) (53,158)	(66,520)	(100,989)	(16,520)	(59,143)	(41,710)	(18)	(30,000,000)	(40,803)	(72)	(9,351)	(49,304)	(55,761)	(147,346)	(28,773)	(143,900)	(31)	(14,999)	(34)	(87,949)	(23,216)	(9,722)	(4,002)	(19,169)
Column 11	6-Year Cash Withdrawals	(1)	(81,434)	(103,630)	(29,148)	(213,530)	(20,000,000)	(335,206)	· (9)	(14,409)	(36,555)	(161,310)	(10)	(8)	(129,409)	(56,581)	(10,000,000)	(21,604)	(19,744)	(309,589)	(31,684)	(73,673)	(30,603)	(53,158)	(69,503)	(100,989)	(247,605)	(59,143)	(41,710) (140,262)	(18)	(30,000,000)	(40,803)	(72)	(9,351)	(49,304)	(55,761)	(147,346)	(28,773)	(143,900)	(31)	(14,999)	(34)	(87,949)	(23,216)	(9,722)	(4,002)	(19,169)
Column 10	2-Year Cash Withdrawals																																														
Column 9	90-Day Preferential Transfers															,																															
Column 8	Balance of Principal	770,133,546	769,998,073	769,892,234	769,863,084	769,631,622	749,631,622	749,296,412	749,314,343	749,299,928	749,263,373	748,952,830	748,843,444	748,843,436	748,695,072	748,638,491	738,632,398	738,610,794	738,562,714	738,253,125	738,201,395	738,127,722	737,985,136	737,931,978	737,639,420	737,538,431	737,274,306	737,215,164	737,173,454	737,033,174	707,004,836	706,964,032	706,669,268	706,659,917	706,549,392	706,493,631	706,242,916	706,214,143	706,050,414	706,050,383	706,035,384	706,035,350	705,967,230	705,944,014	705,934,276	705,930,274	705,911,105 705,897,687
Column 7	Transfers of Principal Out																									•																					
Column 6	Transfers of Principal In																																														
Column 5	<u>Cash</u> Withdrawals	(1)	(81,434)	(105,630)	(29,148)	(17,932)	(20,000,000)	(335,206)	17,932	(14,409)	(36,555)	(161,310)	(10)	(8)	(129,409)	(56,581)	(10,000,000)	(21,604)	(19,744)	(309,589)	(31,684)	(73,673)	(30,603)	(53,158)	(69,509)	(100,989)	(247,605)	(59,143)	(41,710) (140,262)	(18)	(30,000,000)	(40,803)	(72)	(9,351)	(49,304)	(55,761)	(147,346)	(28,773)	(143,900)	(31)	(14,999)	(34)	(87,949)	(23,216)	(9,722)	(4,002)	(19,169)
Column 4	Cash Deposits																									•																					
Column 3	Transaction Amount Reported in Customer Statement	(1)	(81,434)	(3)	(2)	(17,932)	(20,000,000)	(335,206)	17,932	(14,409)	(36,555) (149,233)	(161,310)	(01)	(8)	(129,409)	(56,581)	(10,000,000)	(21,604)	(19,744)	(309,589)	(31,084)	(73,673)	(30,603)	(53,158)	(69,509)	(100,989)	(16,520)	(59,143)	(41,710) (140,262)	(18)	(30,000,000)	(40,803)	(72)	(9,351)	(49,304)	(55,761)	(147,346)	(19,829)	(143,900)	(31)	(14,999)	(34)	(87,949)	(23,216)	(9,722)	(4,002)	(19,169) (13,418)
Column 2	<u>Transaction</u> <u>Description</u>	FIDELITY SPARTAN US TREASURY MONEY MARKET	WHITAX DIV WALL	WITH TAY DIV MEN. WHELTY SPARTAN US TREASURY MONEY MARKET WHELTY SPARTAN	W/H TAX DIV HPQ TIPELITY SARTAN US TREASURY MONEY MARKET WHATER A SARTAN	W/H IAX DIV SLB W/H TAX DIV MO	CHECK WIRE FIDE ASTIRY MONEY MARKET	WHAT TAX DIV GE	CXL W/H TAX DIV SLB FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV MDT	W/H TAX DIV MS W/H TAX DIV VZ	W/H TAX DIV T	FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV PG	W/H TAX DIV ABT	CHECK WIKE W/H TAX DIV TXN	W/H TAX DIV CAT	W/H TAX DIV GS	W/H TAX DIV C	WH TAX DIV UPS FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV INTC	W/H IAX DIV WFC	W/H TAX DIV WMT	W/H TAX DIV BMY	W/H TAX DIV MSFT	W/H IAX DIV XOM W/H TAX DIV UTX	W/H TAX DIV IBM	W/H TAX DIV MMM W/H TAX DIV JNJ	FIDELITY SPARTAN USTREASURY MONEY MARKET	CHECK WIRE	W/H TAX DIV HD W/H TAX DIV BAC	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV S W/H TAX DIV PEP	W/H TAX DIV AIG	W/H TAX DIV KO W/H TAX DIV MBK	W/H TAX DIV CVX	W/H TAX DIV HPQ W/H TAX DIV SLB	W/H TAX DIV MO	FIDELITY SPARTAN US TREASURY MONEY MARKET FIDELITY SPARTAN 11S TREASURY MONEY MARKET	W/H TAX DIV MS	FIDELITY SPARTAN US TREASURY MONEY MARKET CXI. W/H TAX DIV SI.B	W/H TAX DIV PG	W/H TAX DIV ABT FIDELITY SPARTAN 11S TREASLIRY MONEY MARKET	FIDELLT SPARTAIN US TREASORT MONET MARKET W/H TAX DIV CAT	W/H TAX DIV TXN	W/H TAX DIV MER W/H TAX DIV GS
Column 1	Date	3/31/2006 FI				4/1/2006 W 4/10/2006 W		ш	4/28/2006 C. 4/28/2006 FI		4/28/2006 W 5/1/2006 W			5/10/2006 FI					5/25/2006 W	5/26/2006 W			6/1/2006 W	П			6/12/2006 W	ш	6/12/2006 W 6/13/2006 W				ш	6/30/2006 W		7/3/2006 W	Н	7/5/2006 W		7/14/2006 FI		7/31/2006 FI	2	8/15/2006 W			8/23/2006 W 8/24/2006 W

08	-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash Withdrawals	(208.913) (81,584) (81,584) (20,703) (15,703) (15,1282) (15,1282) (23,4563) (23,4563)	(165,368) (94,883) (94,883) (98,217) (86,046) (30,497) (1) (1) (26,454) (26,454)	(42.3) (45.3) (6.42) (6.42) (6.42) (1.03.52) (1.03.52) (1.03.52) (1.03.52)	(1.29,473) (22,602) (23,603) (23,603) (34,603) (49,537) (49,537) (49,537) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (10,639) (26,140) (26,140) (10,639) (26,140) (10,639) (26,140) (10,639) (26,140) (10,639) ((207.263) (207.263) (29.381) (19.381) (19.0453) (10.0453) (17.129)
Column 11 6-Year Cash Withdrawals	(208.913) (81.584) (80.144) (20.144) (20.703) (15.202) (15.1282) ((165,368) (39,105) (39,105) (48,88) (28,217) (28,046) (20,497) (26,690) (11) (26,690) (21,647) (21,647) (21,647) (21,647)	(42.317) (42.317) (6.42) (6.42) (6.42) (6.42) (6.929) (19.016) (15.420) (22.3.521) (22.3.521) (1) (1) (1) (1) (1) (1) (1) (1)	(740) (740) (282,603) (272,053) (2) (3) (49,163) (110,631) (110,631) (110,631) (110,631) (110,631) (111,63	(207263) (20469) (34269) (3428) (20381) (10083) (40045) (223937) (17329) (49621) (88579) (199128) (4961)
Column 10 2-Year Cash Withdrawals				(59,486) (97,587) (49,163) (13,806) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (10,631) (11,465) (26,894) (26,894) (30	(207.263) (30.469) (34.529) (3.581) (130.583) (40.045) (223.937) (17.129) (
Column 9 90-Day Preferential Transfers					
Column 8 Balance of Principal	705,688,774 705,607,190 705,587,046 705,536,343 705,536,342 705,536,345 705,509,083 705,314,118 705,291,087 705,192,087	705,026,719 704,987,613 704,804,739 704,736,463 704,739,275 704,739,275 704,739,275 704,739,275 704,739,274 704,739,274	704,451,502 704,445,000 704,430,330 704,301,444 704,131,164 704,147,181 703,923,623 703,923,623 703,923,623 703,923,623 703,923,623 703,923,623 703,923,623	70.359 6,222 70.3506,209 70.366,398 70.366,398 70.366,398 70.346,319 70.346,334 70.326,334 70.326,334 70.202,743 70.202,743 70.202,743 70.202,438 70.202,438 70.202,438 70.202,438 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539 70.203,539	702,006,510 702,004 701,921,511 701,892,130 701,721,502 701,422,436 701,422,436 701,422,436 701,422,436 701,422,436 701,202,436 701,202,436 701,202,437 701,202,437 701,202,437 701,202,437 701,202,437 701,202,437
Column 7 <u>Transfers of</u> <u>Principal Out</u>					
Column 6 <u>Transfers of Principal In</u>					
Column 5 Cash Withdrawals	(208,913) (81,584) (81,584) (50,144) (20,703) (17) (35,962) (151,282) (34,965) (23,513) (95,680)	(165,368) (39,105) (39,105) (20,488) (20,497) (36,690) (26,454) (26,454) (218,990) (218,990)	(42.317) (6.442) (6.442) (6.427) (6.929) (19.016) (15.280) (223.521) (223.521) (1) (1) (1) (1) (1) (1) (1) (1) (1)	(3,40) (282,603) (2,203) (3,527) (49,163) (10,537) (10,537) (10,538) (10,53	(207,263) (30,469) (44,529) (43,523) (130,383) (40,045) (71,23) (17,129) (1
Column 4 <u>Cash</u> <u>Deposits</u>					
Column 3 Transaction Amount Reported in Customer Statement	(208,913) (81,584) (90,144) (20,703) (17) (15,282) (15,28	(165,368) (39,105) (94,888) (28,217) (88,217) (86,046) (20,497) (1,05) (26,494) (26,494) (26,494) (26,494)	(42,317) (64,2317) (64,42) (64,42) (64,929) (19,016) (19,016) (19,016) (13,280) (13,280) (13,280) (13,280) (13,280) (14,016) (14,016) (15,16) (17,16) (17,16) (17,16) (17,16) (17,16)	(7,400) (13,2603) (27,205) (3,505) (3,557) (49,163) (10,631) (110,	(207,263) (30,469) (34,529) (130,581) (130,582) (40,045) (75,129) (11,572) (11,572) (14,621) (38,579) (17,387) (17,387) (19,621) (19,621) (19,621) (19,621)
Column 2 <u>Transaction</u> <u>Description</u>	W/H TAX DIV C W/H TAX DIV WFC W/H TAX DIV INTC W/H TAX DIV INTC W/H TAX DIV WAT W/H TAX DIV WMT W/H TAX DIV WMT W/H TAX DIV WPF W/H TAX DIV WPF W/H TAX DIV UPS W/H TAX DIV UPS W/H TAX DIV UTX W/H TAX DIV UTX W/H TAX DIV UTX	W/H TAX DIV XOM W/H TAX DIV IBM W/H TAX DIV IBM W/H TAX DIV MMM W/H TAX DIV MSFT W/H TAX DIV MSFT W/H TAX DIV MSFT W/H TAX DIV TWX W/H TAX DIV TWX W/H TAX DIV HO W/H TAX DIV HO W/H TAX DIV HO W/H TAX DIV BAC FIDELITY SOAPTAN IS TREASURY MONEY MARKET FIDELITY SOAPTAN IS TREASURY MONEY MARKET	WH TAX DIV PE WH TAX DIV S WH TAX DIV S WH TAX DIV S WH TAX DIV HPQ WH TAX DIV HPQ WH TAX DIV HPQ WH TAX DIV MO WH TAX DIV MO FIDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV GE FIDELITY SPARTAN US TREASURY MONEY MARKET HDELITY SPARTAN US TREASURY MONEY MARKET	WH TAX DIV TAN HDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV C WH TAX DIV C WH TAX DIV MER HDELITY SPARTAN US TREASURY MONEY MARKET HDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV PR WH TAX DIV PR WH TAX DIV WER WH TAX DIV MER WH TAX DIV WER WH TAX DIV UNY HDELITY SPARTAN US TREASURY MONEY MARKET HDELITY SPARTAN US TREASURY MONEY MARKET	WH TAX DIV PEE WH TAX DIV PEE WH TAX DIV EXC WH TAX DIV BA WH TAX DIV BA WH TAX DIV MM WH TAX DIV XOM WH TAX DIV KO WH TAX DIV TOT WH TAX DIV TOT WH TAX DIV WO WH TAX DIV WO WH TAX DIV WO WH TAX DIV UPS WH TAX DIV UP
Column 1 <u>Date</u>			9/29/2006 9/29/2006 10/2/2006 10/2/2006 10/4/2006 10/10/2006 10/10/2006 10/25/2006 10/25/2006 10/25/2006 10/26/2006 10/30/2006 10/30/2006 10/30/2006	8 9 9 9 9	1/3/2007 1/3/2007 1/3/2007 1/3/2007 1/3/2007 1/3/2007 1/3/2007 1/3/2007 1/4/2007 1/10/2007 1/2/2007 1/2/2007 1/2/2007 1/2/2007 1/2/2007 1/2/2007

0	8-01789-cgm	Doc 5667-1	Filed 02/18/14	Entered 02/18/14 19:21:57	Exhibit A
Column 12 Full History Cash	(5) (5) (7) (7) (7) (7) (7) (8) (8) (9) (9) (9) (10) (10) (10) (10) (10) (10) (10) (10	(5.3) (6.83) (9.83) (40.34) (40.34) (10.18) (10.18) (10.18) (10.29) (10.29) (10.29)	Pod 126 (2) Pod 12	(281,410) (139,52) (130,53) (139,53) (130,08) (10,147) (10,147) (10,534) (110,534) (110,534) (110,534) (110,534) (110,534) (120,60) (23,60) (23,60) (24,601) (30,884) (146,837) (146,837) (146,837) (140,203) (101,902)	(13,282) (25,008) (30,854) (30,854) (44,486) (25,876) (72,889) (72,889) (73,904) (95,531) (169,428)
Column 11 6-Year Cash	(3) (3) (4) (4) (4) (4) (4) (5) (7)	(12,29) (10,270) (10,270) (41,077)	(4.5.84.1) (2.7.84.1) (1.7.9) (8.16.9) (8.5.7.73) (8.0.70) (9.5.80) (6.1.887) (2.5.3.1) (2.6.97) (2.5.3.1) (2.6.97)	(31) (15) (13) (13) (13) (13) (10) (10) (10) (10) (10) (10) (10) (10	(13.282) (25.008) (50.854) (50.854) (4.486) (20.8876) (10.8531) (10.964) (16.9428) (16.9428)
Column 10 2-Year Cash	(0) (3) (8) (8) (3) (9) (1) (1) (1) (1) (1) (1) (2) (3) (4) (4) (4) (4) (4) (7) (7) (7) (7) (7) (7) (7) (7) (7) (7	(13) (9,833) (9,833) (9,833) (9,833) (9,833) (40,343) (6,688) (107,188) (21,299) (103,270) (41,077)	(45,564) (242,684) (17) (17) (17) (18,169) (85,773) (80,709) (95,80) (61,887) (25,371) (25,371) (26,907) (27,371)	(281,410) (15,393) (13,987) (19,987) (19,088) (10,147) (30,088) (110,594) (110,594) (110,594) (110,594) (110,594) (110,594) (110,594) (110,594) (110,594) (110,594) (110,894) (146,837) (146,837) (146,837) (146,837) (146,837) (146,837) (140,208) (101,992)	(123,282) (25,008) (50,884) (50,884) (14) (5,887) (72,889) (10) (72,904) (96,204) (25,537) (169,428)
Column 9 90-Day Preferential					
Column 8 Balance of	701,025,925 701,025,925 701,025,914 701,025,914 701,025,905 701,025,905 701,025,906 701,025,806 701,025,806 701,025,806	700,594,143 700,984,143 700,984,310 700,986,559 700,881,874 700,754,686 700,754,686 700,754,686 700,754,686 700,754,686 700,754,686 700,754,686	700,345,71 700,340,688 700,340,671 700,236,724 700,236,724 700,156,653 700,061,074 699,999,187 699,976,881 699,766,881	699,485,456 699,478,466 699,477,657 699,312,384 699,31,238 698,931,153 698,931,153 698,931,153 698,931,153 698,931,153 698,813,704 698,637,704 698,637,704 698,637,704 698,134,308 698,134,308 698,134,308 698,134,308 698,134,308 698,134,308 698,134,308 697,901,240 697,901,240 697,881,788,325 697,788,325	697,433,049 697,343,1041 697,347,1184 697,247,1184 697,292,688 696,923,922 696,923,922 696,923,912 696,915,381 696,815,381 696,815,381 696,835,477 696,739,273 696,739,736
Column 7 Transfers of					
Column 6 Transfers of					
Column 5 Cash	(5) (5) (7) (7) (7) (7) (7) (7) (7) (7) (7) (7	(13, 407) (9,833) (9,833) (9,833) (9,833) (9,833) (107,188) (107,188) (1107,188) (1107,188) (1107,188) (1107,188) (1107,189) (1107,189)	(45,044) (24,084) (17) (8,169) (85,773) (86,773) (18,873) (18,873) (18,873) (18,873) (26,873) (26,873) (26,873)	(281,410) (13,33) (13,33) (13,34) (10,54) (10,54) (10,54) (10,54) (22,06) (23,96) (23,96) (23,56) (146,83) (24,64) (24	(13.282) (25.008) (20.0854) (30.854) (4) (54.486) (25.889) (12.889) (13.889) (13.899) (14.531) (8.531) (16.9.904) (9.532) (16.9.428)
Column 4					
Column 3 Transaction Amount Reported in	(0) (3) (8) (3) (5) (1) (1) (1) (1) (1) (1) (1)	(13) (13) (13) (13,407) (107,188) (107,188) (107,188) (103,270) (103,270) (10,270)	(45.584) (74.584) (17) (17) (17) (81.69) (85.773) (85.773) (85.773) (85.773) (85.773) (85.773) (81.887) (25.580) (25.371) (206.907) (206.907)	(18) (13) (13) (13) (13) (14) (14) (10) (14) (10) (10) (10) (10) (10) (10) (10) (10	(123.282) (25,008) (50,834) (44,865) (205,876) (72,889) (72,889) (72,899) (73,904) (79,904) (79,904) (79,904) (79,904) (79,904) (79,904) (79,904) (79,904) (79,904)
Column 2 Transaction	HDELITY SPARTAN U S TREASURY MONEY MARKET MATAN SDIV COP	WHI TAX DIV UTX WH TAX DIV CVX WH TAX DIV TGT WH TAX DIV TGT WH TAX DIV TGT WH TAX DIV TMX WH TAX DIV TMX WH TAX DIV TMX WH TAX DIV TMX WH TAX DIV WB WH TAX DIV STREASURY MONEY MARKET	WH TAX DIV BAC FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV BEP WH TAX DIV PEP WH TAX DIV WAT WH TAX DIV WAT WH TAX DIV WAT WH TAX DIV MO FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET FIDELITY SPARTAN U S TREASURY MONEY MARKET WH TAX DIV MO	WH TAX DIV GE WH TAX DIV GE WH TAX DIV CVS WH TAX DIV PG WH TAX DIV SG WH TAX DIV NG WH TAX DIV NG WH TAX DIV NG WH TAX DIV NG WH TAX DIV UNT WH TAX DIV MN	WH TAX DIV WB WH TAX DIV TWB WH TAX DIV TWA WH TAX DIV TWA WH TAX DIV TWA WH TAX DIV HD WH TAX DIV HD WH TAX DIV HD WH TAX DIV BEP HDELITY SPARTAN US TREASURY MONEY MARKET WH TAX DIV KO WH TAX DIV KO WH TAX DIV MR WH TAX DIV MR WH TAX DIV MR WH TAX DIV MR WH TAX DIV MO CXL WH TAX DIV TYC
Column 1	1/31/2007 2/6/2007 2/6/2007 2/16/2007 2/20/2007 2/20/2007 2/23/2007 2/23/2007 3/1/2007 3/1/2007			2007 007 007 2007 2007 2007 2007 0007 0	(6/15/2007 (6/15/2007 (6/15/2007 (6/15/2007 (6/22/2007 (6/29/2007 (6/29/2007 (7/2)/2007 (7/5/2007 (7/5/2007 (7/5/2007 (7/5/2007 (7/5/2007

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Exhibit A

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Column 12 Full History	Cash Withdrawals	(12,001)	(24,592)	(7)	(181,037) (14,065)	(64,786)	(123,131)	(13,639)	(10,229)	(28,983)	(11,934)	(81,835)	(6,630)	(41,770)	(53,617)	(23,588)	(42,980)	O 027,785)	(129,809)	(65,124)	(203,338 @O	of (30,30)	(34,732)	29	(50,000,000)	9	(6,593)	(0)	(17,557)	(8,361)	(83,356)	(141,412)	(17,677)	(12)	(30,418)	(268,884)	(62,433)	(47,715)	(2)	(122,000)	(34,366)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110)
Column 11 6-Year	Cash Withdrawals	(12,001)	(24,592)	(7)	(181,037)	(64,786)	(123,131)	(4,546)	(10,229)	(28,983)	(11,934)	(81,835)	(6,630)	(41,770)	(53,617)	(23,588)	(42,980)	(27,785)	(42,098)	(65,122)	(203,338)	(30,390)	(34,732)	(25)	(50,000,000)	99	(6,593)	(2) (0)	(17,557)	(8,361)	(83,356)	(31,303)	(17,677)	(12)	(30,418)	(268,884)	(62,433)	(47,715)	(62,943)	(122,000)	(34,366)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110)
Column 10 2-Year	Cash Withdrawals	(12,001)	(24,592)	(7)	(181,037)	(64,786)	(123,131)	(4,546)	(10,229)	(28,983)	(11,934)	(81,835)	(6,630)	(41,770)	(53,617)	(23,588)	(42,980)	(27,785)	(129,809)	(65,122)	(203,338)	(30,390)	(34,732)	(83,933)	(50,000,000)	0	(6,593)	0	(17,557)	(8,361)	(83,356)	(31,309)	(17,677)	(12)	(30,418)	(268,884)	(62,433)	(47,715)	(02,943)	(122,000)	(34,366)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110) (51,835)
Column 9 90-Day	Preferential Transfers								٠				١									•									(83,356)	(141,412)	(17,677)	(12)	(16)	(268,884)	(62,433) (42,775)	(47,715)	(02,943)	(122,000)	(34,566)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110) (51,835)
Column 8	Balance of Principal	693,899,133	693,874,537	693,842,719 693,835,615	693,654,578 693,640,513	693,575,727	693,389,468	693,371,283	693,361,054	693,332,070	693,255,729	693,173,895	693,167,250	693,125,480	692,976,430	692,952,842	692,704,251	692,676,466	692,546,656	692,439,436	692,236,099	692,175,145	692,140,413	692,057,293	642,057,293	642,057,293	642,050,700	642,050,698	642,033,141	641,912,033	641,828,677	641,635,956	641,618,279	641,606,854	641,606,838	641,307,536	641,202,325	641,154,611	641,091,668	640,969,666	640,935,100	640,883,457	640,875,769	640,692,593	640,647,805	640,408,502	640,389,392 640,337,557
Column 7	Transfers of Principal Out								·				·																																		
Column 6	Transfers of Principal In									•																																					
Column 5	Cash Withdrawals	(12,001)	(24,592)	(7)	(181,037) (14,065)	(64,786)	(123,131)	(4,546)	(10,229)	(28,983)	(11,934)	(81,835)	(6,630)	(41,770)	(53,617)	(23,588)	(42,980)	(27,785)	(129,809)	(65,122)	(203,338)	(30,390)	(34,732)	(25)	(50,000,000)	99	(6,593)	00	(17,557)	(8,361)	(83,356)	(141,412)	(17,677)	(12)	(30,418)	(268,884)	(42,775)	(47,715)	(62,943)	(122,000)	(21.397)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110) (51,835)
Column 4	<u>Cash</u> <u>Deposits</u>																																									•				•	
Column 3 Transaction Amount	Reported in Customer Statement	(12,001)	(24,592) (31,811)	(7) (7,104)	(181,037) (14,065)	(64,786)	(123,131)	(4,546)	(10,229)	(28,983)	(11,934)	(81,835)	(6,630)	(41,770)	(53,617)	(23,588)	(42,980)	(27,785)	(129,809)	(65,122)	(203,338)	(30,390)	(34,732)	(25)	(50,000,000)	(0)	(6,593)	(2) (0)	(17,557)	(8,361)	(83,356)	(141,412)	(17,677)	(12)	(16)	(268,884)	(62,433)	(47,715)	(62,943)	(122,000)	(21.397)	(30,245)	(7,689)	(55,720)	(44,789)	(39,888)	(19,110)
Column 2	<u>Transaction</u> <u>Description</u>	W/H TAX DIV HPQ FIDELITY SPARTAN 11S TREASURY MONEY MARKET	W/H TAX DIV KFT W/H TAX DIV WMT	FIDELITY SPARTAN US TREASURY MONEY MARKET W/H TAX DIV MDT	W/H TAX DIV GE W/H TAX DIV MS	W/H TAX DIV JPM W/H TAX DIV VZ	WH TAX DIV T	W/H TAX DIV CVS W/H TAX DIV BK	W/H TAX DIV AXP	W/H TAX DIV ABT	W/H TAX DIV CAT	W/H TAX DIV C FIDELITY SPARTAN 11S TREASHRY MONEY MARKET	W/H TAX DIV GS	W/H TAX DIV INTC	W/H TAX DIV WMT	W/H TAX DIV COP	W/H TAX DIV UPS	W/H TAX DIV BA	W/H TAX DIV CVX	W/H TAX DIV IBM	W/H TAX DIV XOM	W/H TAX DIV EXC	W/H TAX DIV MMM W/H TAX DIV MSET	WILLIAM DIV MARTAN US TREASURY MONEY MARKET	CHECK WIRE FIDELITY SPARTAN 11S TREASHRY MONEY MARKET	FIDELITY SPARTAN US TREASURY MONEY MARKET	W/H TAX DIV CVS FIDELITY SPARTAN 11S TREASLIRY MONEY MARKET	FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV CAT	W/H TAX DIV GS	W/H TAX DIV MSFT	W/H TAX DIV PFE	W/H TAX DIV BUD	FIDELITY SPARTAN US TREASURY MONEY MARKET	FIDELLIY SPARTAN USTREASURY MONEY MARKET W/H TAX DIV UTX	W/H TAX DIV BAC	W/H TAX DIV UPS	W/H TAX DIV COP	WIT TAX DIV WFC FIDELITY SPARTAN USTREASURY MONEY MARKET	W/H TAX DIV JNJ	W/H TAX DIV TWX	W/H TAX DIV EXC	W/H TAX DIV QCOM	W/H TAX DIV AIG	W/H TAX DIV IBM W/H TAX DIV XOM	WH TAX DIV MCD	W/H TAX DIV BA W/H TAX DIV INTC
Column 1	Date	4/2/2008	4/4/2008	4/23/2008 4/25/2008	4/25/2008	4/30/2008	5/1/2008	5/2/2008	5/9/2008	5/15/2008	5/20/2008	5/23/2008	5/29/2008	6/2/2008	6/2/2008	6/2/2008	6/3/2008	6/6/2008	8/10/2008	6/10/2008	6/10/2008	6/10/2008	6/12/2008	7/18/2008	7/18/2008	7/23/2008	8/1/2008	8/13/2008	8/20/2008	8/28/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008	10/2/2008

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Column 2	Column 3 Transaction Amount	Column 4	Column 5	Column 6	Column 7	Column 8	Column 9	Column 10	Column 11	Column 12
<u>Transaction</u> <u>Description</u>	Customer Statement	Cash Deposits	Cash Withdrawals	Transfers of Principal In	Transfers of Principal Out	Balance of Principal	Preferential Transfers	Cash Withdrawals	Cash Withdrawals	Cash Withdrawals
CHECK WIRE	(50,000,000)	٠	(50,000,000)	,	•	590,337,557	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
W/H TAX DIV PM	(34,345)		(34,345)			590,303,212	(34,345)	(34,345)	(34,345)	(34,345)
W/H TAX DIV KO	(23,118)		(23,118)			590,280,094	(23,118)	(23,118)	(23,118)	(23,118)
W/H TAX DIV MRK	(75,527)		(75,527)			590,204,568	(75,527)	(75,527)	(75,527)	(75,527)
W/H TAX DIV MO	(14,065)		(14,065)			590,190,503	(14,065)	(14,065)	(14,065)	(14,065)
IDELITY SPARTAN US TREASURY MONEY MARKET			(1)			590,190,502	(1)	(E)	(1)	(1)
IDELITY SPARTAN US TREASURY MONEY MARKET	(2)		(2)			590,190,500	(2)	(2)	(2)	(2)
W/H TAX DIV BAX	(13,157)		(13,157)			590,177,343	(13,157)	(13,157)	(13,157)	(13,157)
W/H TAX DIV HPQ	(18,452)		(18,452)			590,158,891	(18,452)	(18,452)	(18,452)	(18,452)
HECK WIRE	(50,000,000)		(50,000,000)		•	540,158,891	(50,000,000)	(50,000,000)	(50,000,000)	(50,000,000)
FIDELITY SPARTAN US TREASURY MONEY MARKET	(1)		(1)			540,158,891	(1)	(1)	(1)	(1)
IDELITY SPARTAN US TREASURY MONEY MARKET			(E)			540,158,889	Ξ	Ξ	(1)	(1)
FIDELITY SPARTAN US TREASURY MONEY MARKET	(0)		(0)			540,158,889	(0)	(0)	(0)	(0)
IDELITY SPARTAN US TREASURY MONEY MARKET	Ξ		(1)			540,158,888	(I)	Ξ	(1)	(1)
FIDELITY SPARTAN US TREASURY MONEY MARKET	(1)		(1)			540,158,888	(1)	(1)	(1)	(1)
	Total:	8 979,860,000	\$ (437,501,112)	8,000,000	\$ (10,200,000)	\$ 540,158,888	\$ (101,753,145)	\$ (163,447,509)	\$ (398,704,065)	\$ (437,501,112)